1852. L14.

# CORRESPONDENCE

RESPECTING

# THE GUANO ISLANDS

OF

# LOBOS DE TIERRA & LOBOS DE FUERA.

## 1833—1852.

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*Presented to the House of Commons, by Command of Her Majesty, in pursuance of their Address of May 14, 1852.*

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RETURN to an Address of the Honourable the House of Commons, dated May 14, 1852;
*for*—

"A Copy of Correspondence between the Merchants of Liverpool and the Foreign Office, respecting the newly-discovered Guano Islands of Lobos Afuera and Lobos de Tierra."

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No. 1.

*Mr. Belford Wilson to Mr. Bidwell.*—(*Received February* 26.)

(Extract.) *Lima, September* 23, 1833.

THE Government has issued a decree prohibiting foreign vessels fishing along the coast and on the islands of Peru.

For many years, no British vessel has been engaged in this fishery, but great abuses have been committed by American vessels, which approach them for the purpose of killing whales and seals; not only have they destroyed seals of all sexes and ages at improper periods, so as to render their breed very scarce, but, under the pretext of fishing, have carried on a very extensive smuggling trade.

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Inclosure in No. 1.

*Decree prohibiting foreign vessels from fishing on the coasts and islands of Peru.*

(Translation.)

THE Citizen José Branlio del Camporedondo, Vice-President of the Senate, charged with the Executive Power of the Republic,

Considering:

1. That the fishing on the coasts and islands of the Republic ought to belong exclusively to the citizens of Peru;

2. That at present it is carried on by some foreign vessels, invading the property, and depriving by force the natives of the country who are employed in it;

Decrees:

Art. 1. The fishing of seals and amphibious animals on the shores and islands of Peru is absolutely prohibited to foreigners.

2. The captains of foreign vessels who evade this order shall be considered as smugglers.

3. The captains of the port shall grant permission to the citizens of Peru for this object, with the knowledge of the superior authority of the department, Commandant-General of Marine, and Chiefs of the custom-houses on the coast.

4. Whatever national vessel that is met in the neighbourhood of the coast and islands, without the legal documents which grant her the permission, may be detained on suspicion in any port of the Republic, without having the right of reclaiming for it damages and prejudices.

The Under Secretary of State of the Department of Finance will see this Decree carried into force, and that it is printed and published.

Given at the Government House in Lima, this 6th of September, 1833.

(Signed) JOSE BRANLIO DEL CAMPOREDONDO.

By order of his Excellency,

(Signed) JOSE DE MANDIBURU.

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No. 2.

*Mr. Belford Wilson to Viscount Palmerston.*—(*Received August* 13.)

My Lord, *Lima, April* 1, 1834.

IN my despatch of the 23rd of September last, I inclosed to your Lordship a decree of the Peruvian Government, prohibiting foreign vessels from fishing on the coasts and islands of Peru.

On the 28th of last month I received a despatch from the Peruvian Minister of Foreign Affairs, complaining that the British schooner "Campeadora" had, in violation of this decree, been employed in killing seals on the desert Islands of Lobos, and of other irregularities.

The farthest of these islands are distant about ten leagues from the shore.

In reply to the Peruvian Minister I pointed out the very limited means I possessed of preventing the inobservance of the laws of the country by any of His Majesty's subjects, however desirous I might be of doing so; and called his attention to a circumstance connected with the case of the "Campeadora," concerning which he appeared to be misinformed.

I never myself entertained any doubt as to the right of Peru to issue the decree in question, on the ground that these islands, and all others immediately adjacent to the coast of Peru, had invariably been considered as part of the territory of the Vice-Royalty, and subsequently of the Republic of Peru; indeed many of them are private property, and extremely valuable on account of the deposit of birds which cover them, and which, being used for manure, employs several vessels in its conveyance to various parts of the coasts.

Lord James Townshend, the Commander of His Majesty's Naval Forces in the Pacific, takes a different view of the question; and he himself told me that he considered that His Majesty's subjects had a positive right of fishery on all these islands, unless they should be actually occupied by some Peruvian authority, or protected by the constant presence of some Peruvian man-of-war to warn off vessels; and he moreover argues that, were it not that some Peruvian settlers or convicts existed on the Island of San Lorenzo, which actually forms part of the Bay of Callao, and is distant about four miles from the Castles in its nearest point, that that island might also be occupied by any of His Majesty's subjects for the purpose of fishing on it.

Opinions of this nature, however erroneous they appear to me, are readily circulated and believed by others; and coming from so influential a quarter, may perhaps induce British subjects to disregard the prohibitory decree of the Peruvian Government.

I am therefore desirous of being informed whether the right of the Peruvian Government to issue the decree before alluded to can at all be called in question; and whether, in the event of its violation by any British vessel, and thereby incurring the penalties of this decree, she will be entitled to any protection from the Consulate-General.

In my former despatch I stated that instances of British vessels fishing on these islands are of very rare occurrence.

I have, &c.

(Signed) BELFORD HINTON WILSON.

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Inclosure 1 in No. 2.

*Señor Corbacho to Mr. Belford Wilson.*

*Casa del Gobierno en Lima,*

Señor, *a* 28 *de Marzo de* 1834.

LA Comandancia-General de Marina ha dirigido al Ministerio del Despacho, y este al de Relaciones Esteriores, que desempeña el Infrascrito, una parte original del capitan del puerto de Paita, fecha 21 de Diciembre ultimo, cuyo tenor es como sigue:

"El 7 del que vije ancli en este puerto la goleta Inglesa 'Campeadora,' procedente de las Yslas de Lobos en donde ha estado ejercitada en la pesca, contrariando el supremo decreto 6 de Setiembre ultimo, despues de haber sacado permiso de Señor General Prefecto del Departamento de Lima, para navigar con destino a California. En el momento que recogi sus papeles pase a tierra a tomar providencias para embargarsa, pues se hallaba cargada de cueros de lobos, que habia pescado en nuestras islas; mas luego que salto el capitan á tierra y le anunciaron el riesgo en que se hallaba, mando uno de sus compañeros a ofrecer ochocientos pesos por tal de que no se le embargase; mas habiendose adelantado en embarcarse abordo, antes de llegar mi bote ya armado con el objeto de aprenderla, largaron el chicote de la cadena, y se mariaron inmediatamente, burlandose de los esfuerzos que hacia el bote para tomarla, y siguiendole favorable el viento, desaparecio dejando los papeles en tierra en esta capitania. Loque comunico a vuestra Señoria para su superior intelijencia, y para que se sirva ordenarme el procedimiento que debe observar si este buque volviese a anclar en este bahia."

El Infrascrito tiene el honor de comunicar este suceso al Señor Consul-General de Su Magestad Británica, afin de que se sirva tomarlo en consideracion y acordar las medidas que estime conducentes para que se eviten en lo sucesivo semejantes actos, que refluyen en menos precio de las leyes del pais, y que atacan la respetabilidad de las autoridades publicas.

Con este motivo renueva el Infrascrito, &c.

(Firmato) J. Ma. CORBACHO.

(Translation.)

Sir, *Government House, Lima, March* 28, 1834.

THE General of Marine has forwarded to the Minister of that Department, and he to the Office of Foreign Affairs in charge of the Undersigned, an original despatch from the captain of the port of Paita, dated 21st December last, as follows:

"On the 7th instant the English schooner 'Campeadora' anchored in this port, proceeding from the Islands of Lobos, where she has been employed in the fishery, contravening the supreme decree of the 6th September last, after taking out a sailing licence from the Prefect of the Department of Lima, for California. As soon as I had collected his papers, I returned ashore to take measures to embargo the vessel, which was full of seal-skins fished in our islands; but when the captain landed and was informed of the risk he ran, he sent one of his companions to offer 800 dollars to escape seizure; and having got the start of me in going on board again, before my boat which was already armed to take him had got up, he slipped his cable and immediately went out to sea, frustrating the endeavours of the boat to take him; and the wind continuing favourable, he disappeared, leaving his papers on shore in my office. I communicate this to you for your government, and in order that you may indicate to me what steps I must take should this vessel return to anchor in this bay."

The Undersigned has the honour to inform His Britannic Majesty's Consul-General of this occurrence, in order that he may take it into consideration and take the necessary steps to prevent a recurrence for the future of similar acts, which set at defiance the laws of the country and attack the respectability of the public authorities.

The Undersigned, &c. (Signed) J. Ma. CORBACHO.

Inclosure 2 in No. 2.

*Mr. Belford Wilson to Señor Corbacho.*

Sir, *Lima, April* 1, 1834.

THE Peruvian Minister will, I am sure, readily credit the sincere desire with which I am animated to prevent by timely warning, advice, and by every means in my power, any of His Majesty's subjects from infringing the laws of Peru, or treating with disrespect the constituted authorities.

The Peruvian Minister, however, cannot be ignorant of my very limited means to effect these objects, and that it cannot be possible for me on all occasions to prevent abuses of this sort, however much I may regret them.

In respect to the proceedings of the British schooner "Campeadora" at the Islands of Lobos, and subsequently at the Port of Paita, to which the Peruvian Minister calls my attention in his despatch of the 28th of last month, I beg to inform him that on the publication of the supreme decree prohibiting in future to foreigners the fishery of seals and whales on the coasts and islands of Peru, that I transmitted a copy of the same to His Majesty's Government, and that as yet I have received no instructions thereon.

From information which has been communicated to me, it appears that the "Campeadora" was not warned to desist from fishing on the Islands of Lobos by any Peruvian vessels of war or by any Peruvian authority, none indeed existing in these desert islands, and which warning is customary in cases where the privilege of fishing has long existed and is suddenly stopped by the Power claiming the exercise of dominion over the fishery.

In cases where the foreign vessel arrives direct from countries where, on account of the unexpected and sudden publication of a decree of prohibition, that decree could not possibly be known at the period of the vessel's departure, a notification of its existence and a warning to the vessel to desist from fishing would necessarily be required to ensure her condemnation in a court of law for its inobservance; but the decree of the Peruvian Government affords no time whatever for its effects to come into operation as regards vessels so circumstanced; the case, however, of the "Campeadora" is different, for the master might have known of the existence of this decree during his stay at Callao; and it was from no generosity whatever or from any considerate feeling, that this vessel escaped from seizure by the Peruvian authorities.

I have been further assured by parties whose evidence I cannot hastily reject, that it was the captain of the port of Paita himself who offered to allow the vessel to proceed to sea unmolested on receiving a bribe of 800 dollars, and not, as he has since alleged, that this sum was offered to him by one of the companions of the master for that purpose. The bribe, however, was refused to be given. The truth of this statement might have been proved had the complaint of the captain of the port of Paita, which is dated the 21st of December, been forwarded to this Consulate-General at an earlier period, instead of allowing three months and three days to elapse previous to any communication on the subject being made, and when in all probability the vessel has returned to England.

I have, &c.

(Signed) BELFORD HINTON WILSON.

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No. 3.

*Sir George Shee to Mr. Belford Wilson.*

Sir, *Foreign Office, August* 30, 1834.

WITH reference to your despatch of the 1st of April last, on the subject of a decree issued by the Peruvian Government, prohibiting foreign vessels from fishing on the coasts and islands of Peru, I am

directed by Viscount Palmerston to acquaint you that, from the statement contained in your despatch, there seems no reason to doubt that as the islands in question are and have always been considered to be part of the territory of Peru, it would therefore appear that the Peruvian Government have a right to prohibit foreign vessels from fishing upon the coasts immediately adjoining to those islands, as well as upon the coasts of Peru itself, there being no evidence in the papers which you have transmitted, of any right of fishing acquired by long and uninterrupted usage.

You will not, however, object to give protection and assistance to such British vessels as may, through ignorance of the decree, or through inadvertence, have subjected themselves to the penalties thereof.

I am, &c.

(Signed) G. SHEE.

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No. 4.

*Mr. Belford Wilson to Viscount Palmerston.*—(*Received April* 23, 1842.)

(Extract.) *Callao, December* 22, 1841.

I HAVE the honour of transmitting, herewith, a copy and translation of a decree issued by the Government of Peru, under date of the 8th instant, establishing a monopoly of Peruvian guano in favour of the State, in conjunction with Don Francisco Quiros and Don Achilles Allier.

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Inclosure in No. 4.

*Decree of December* 8, 1841, *establishing Monopoly of Peruvian Guano.*

EN consideracion á que el contrato celebrado con Don Francisco Quiros, sobre extraccion del huano de las islas, ha sido declarado sin efecto por decreto de 27 de Noviembre último, por las causuales que se indicaron, á consecuencia de las representaciones del Consejo de Estado, resolucion de la Corte Suprema, y avenimiento del mismo Quiros; y á que habiendo demandado el interés del Erario que se solicitasen negociantes para que tomasen el huano en comision ó venta, ó de otro modo que fuese útil, segun los avisos oficiales é invitaciones que se han hecho por medio de los periódicos, el resultado ha sido que las propuestas presentadas no sean admisibles, por las pocas ventajas que de ellas reportaria el Tesoro Nacional, como se ve en las que se han agregado á éste espediente: el Gobierno tiene á bien entrar en contrato con Don Francisco Quiros y Don Aquiles Allier, en los términos y bajo las condiciones siguientes:

1. Declarado sin efecto alguno el contrato celebrado con el referido Quiros, éste no tiene derecho á hacer reclamo sobre la cantidad de cuarenta mil pesos que entregó en dinero y creditos de la casa de moneda, con arreglo á la escritura de 29 de Diciembre de 1840, en atencion á que han cedido en su favor los aprovechamientos obtenidos durante él año corrido del mencionado contrato.

2. Desde la fecha el privilejio esclusivo de esportar huano á Europa, se disfrutará por el Estado en sociedad con Quiros y Allier, y por el término de cinco años, distribuyéndose las utilidades líquidas en ésta forma: en el primer año, que será forzoso para la compañia, sesenta y cuatro por ciento al Estado, y treinta y seis por ciento á los mencionados; y en los cuatro siguientes, voluntarios, una tercia parte de las utilidades líquidas para éstos, y las dos restantes para el Estado.

3. En consecuencia del Articulo precedente entran en la sociedad los cargamentos de huano que se esporten en los buques que actualmente se hallan en el Callao, con destino á cargar el huano, asi como los cargamentos que se estraigan en los demas buques que vengan con éste mismo objeto.

4. Quiros y su compañero son obligados á dar al Gobierno cuantos datos y conocimientos se les exijan sobre las contratas y ventas de huano, fletamento de buques, consignaciones y gastos de cualquiera especie, á fin de que el Gobierno pueda formar idea exacta del negocio.

5. Todo buque que cargue huano queda sujeto á tomar su despacho final en la aduana del Callao, y ninguna otra podrá en caso alguno librar dichos despachos.

6. La extraccion del huano solo es permitida por ahora de la Isla del Norte de las de Chincha, y los buques que vayan allí á cargar, deberán sacar antes permiso de Quiros y su compañero, quienes quedan obligados á dar cuenta inmediatamente al Ministerio del Despacho de dicha licencia, accompañando el duplicado de la contrata celebrada con el capitan del buque, y cuando salga, remitir uno de los conocimientos que firme el capitan.

7. El Gobierno puede, á costa de la compañia y como lo crea conveniente, enviar personas que inspeccionen el trabajo en el lugar donde se hace la explotacion del huano, é impedir el contrabando en las islas ú otros puntos donde se produce.

8. Todos los útiles, herramientas, embarcaciones y demas artículos que al presente sirven como necesarios para la explotacion del huano, y de los que deberán presentar inventario, Quiros y su compañero quedan desde la fecha por comun de la sociedad, sin que por esto puedan pedir cantidad alguna, y al fin del contrato cederan en beneficio del Estado.

9. Son obligados Quiros y su compañero á hacer traer al Callao dentro de doce mesos dos embarcaciones de vapor de mas de cuatrocientas toneladas cada una, y del poder mas conveniente, para precaver con ellas la substraccion clandestina del huano; entendiéndose que la construccion de dichos buques ha de ser aproposito para el servicio de guerra, y que han de traer un cañon jiratorio del calibre de treinta y seis, y las carronadas precisas: el valor de éstos buques se satisfará de los fondos de la sociedad, y concluida, quedarán en beneficio del Estado; mas si dicha sociedad no pasase del primer año, entonces el valor total de los buques saldrá de solo la parte del Estado.

10. Los encargados, ajentes ó comisionados para la venta del huano pueden ser amovibles, segun lo estimare conveniente el Gobierno, acordándolo con Quiros, mas por ahora deben existir los que actualmente han servido en la negociacion del huano, mientras no hubiese motivo para relevarlos.

11. Quiros y su compañero quedan obligados á pasar al Ministerio del Despacho la correspondencia que dirijan á los encargados y ajentes en Europa, dándoles instrucciones para la venta del huano, y avisar el resultado que tenga cada cargamento, y presentar tambien la correspondencia orijinal que de ellos reciban.

12. En vista de los documentos á que se contrae el Artículo anterior, se hará anualmente el balance y liquidacion de las cuentas de la sociedad, para que el Gobierno pueda disponer de las utilidades que resulten en su favor.

13. Quedan obligados Quiros y su compañero á entregar en la tesoreria jeneral en el término de cuatro dias por cuenta de dichas utilidades, la cantidad de ochenta y siete mil pesos, y cincuenta mil el dia ocho de cada uno de los cuatro meses siguientes al presente. El Gobierno en compensacion á éste adelanto concede á Quiros y Allier el permiso de cargar con huano de cuenta de estos por una sola vez, la fragata Rosa ó Escandinavia, que en la actualidad se halla en el puerto del Callao, y va á nacionalizarse por solo Quiros.

14. No pudiendo estraerse el huano de otro punto mas que de la isla del norte de las de Chincha, mientras se hace el reconocimiento de todos los lugares donde se encuentre ésta sustancia, segun el acuerdo del Consejo de Estado de 24 de Noviembre último, y sus referentes, para examiner si ella es ó no consumible, y en que tiempo, cuya vista de ojos, mensura y cálculo apróximado deberá quedar concluido dentro de un año; es condicion, que si resulta de dicho exámen, que el huano es defectible en poco tiempo, el presente contrato no podrá estenderse á mas que á la esportacion de veinte mil toneladas.

15. La extraccion del huano de cualquiera punto donde se encuentre es libre, siendo con destino á la agricultura del pais, y seguirá sin alteracion alguna como hasta el presente; mas siempre que se descubra que los buques hacen éste comercio, trasbordan el huano, ó lo conducen al extranjero, entónces caeran en comiso, y se sujetarán á los demas penas establecidas contra los defraudadores de las rentas nacionales.

16. Todas las disputas ó incidentes que ocurran sobre el presente contrato, de cualquier modo que procedan, ó sean, quedan sujetas á la decision de la Corte Suprema, segun su atribucion constitucional, y sus fallos seran rigurosa y estrictamente observados.

17. De las utilidades que de ésta negociacion resulten en favor del Estado, el Gobierno determinará la parte que deba aplicarse á la deuda extranjera, haciendo antes con sus acreedores los arreglos necesarios para verificar el pago; sin que en esto Quiros ni Allier tengan que intervenir, á menos que reciban éste encargo del Gobierno.

18. Don Francisco Quiros y Don Aquiles Allier se obligan con sus bienes habidos y por haber, hipotecándolos espresamente, al cumplimiento de éste contrato, y el Estado en razon de los adelantos que recibe de aquellos y de los gastos que hagen en la exportacion del huano, les hipoteca asi mismo el que existe en la isla de donde se hace dicha esportacion.

Rejistrese en el tribunal mayor de cuentas, pase á la tesoreria jeneral, para que disponga el otorgamiento de la respectiva escritura, y fecho vuelva el espediente al Ministerio del Despacho. Rubrica de S. E.

CANO.

(Translation.)

IN consideration that the contract concluded with Don Francisco Quiros for the extraction of guano from the islands has been declared without effect by the Decree of the 27th of November last, for the reasons therein given, and consequent upon the report of the Council of State, the resolution of the Supreme Court, and acquiescence of the said Quiros; and it having been required by the interests of the Treasury that merchants should be solicited to take the guano on commission or sale, or in any other manner that might be useful according to the official notices and invitations which have been made through the channel of the public journals; and the result has been, that the proposals presented have not been admissible on account of the advantages which the National Treasury would have obtained therefrom, as may be seen in those attached to this report; the Government have deemed it proper to enter into a contract with Don Francisco Quiros and Don Achilles Allier, on the following terms and conditions:

1. The contract concluded with the said Quiros being null and void, he has no right to make a claim for the sum of 40,000 dollars which he paid in money and credits on the Mint, according to the contract of the 29th of December, 1840, in consideration of having ceded in his favour the profit obtained during the past year of the said contract.

2. From this date, for a period of five years, the exclusive privilege of exporting guano to Europe shall be enjoyed by the State in conjunction with Quiros and Allier, the net profits thereof to be distributed as follows:—In the first year, which will be binding on the Company, 64 per cent. to the State, and 36 per cent. to the before mentioned; and in the four following years, which shall be voluntary, one-third part of the net profit for these, and the two-thirds remaining for the State.

3. In consequence of the preceding Article, the cargoes of guano which are exported in the vessels that are at present in Callao for the purpose of loading guano, shall belong to the Company, as well as the cargoes which may be shipped in the other vessels which shall come for this same object.

4. Quiros and Company are obliged to give to the Government all the data and information which is required of them respecting the contracts and sale of guano, freight of vessels, consignments and expenses of any kind, in order that the Government may form an exact idea of the business.

5. All vessels that load guano must take their first licence in the custom-house of Callao, and no other custom-house can in any case issue such licence.

6. The extraction of guano is only at present permitted from the island to the north of those of Chincha, and the vessels that go there to load must first obtain permission from Quiros or his partner, who are obliged to give an immediate account to the Ministry of said licence, accompanying a duplicate of the contract concluded with the captain of the vessel; and on her sailing they must transmit one of the bills of lading signed by the captain.

7. The Government can, at the cost of the Company and as it may deem fit, send persons to inspect the work in the place where the extraction of guano

is made, and to impede the contraband with islands or other points where it is produced.

8. All the implements, tools, vessels, and other articles which at present seem necessary for the extraction of guano, and of which an inventory shall be presented by Quiros and his partner, shall from this date become the property of the Company, without requiring any payment for the same, and on the expiration of the contract this will be ceded for the benefit of the State.

9. Quiros and his partner must place in Callao, within twelve months, two steam-boats of upwards of 400 tons each, and with sufficient horse-power, to be employed in the prevention of the contraband of guano; on the understanding that the said vessels are to be so constructed as to render them efficient war-vessels, and one to carry a 36-pounder gun and the necessary number of carronades; the cost of these vessels shall be paid for with the funds of the Company, and when concluded, remain for the benefit of the State. But if said Company does not continue longer than the first year, the total value of the vessels shall be deducted from the part of the profits of the monopoly belonging to the State.

10. The consignees' agents in commission for the sale of guano may be removed as the Government, in concurrence with Quiros, may deem fit; but at present those who have actually served in the speculation of guano may remain until there shall be a motive for superseding them.

11. Quiros and his partner are obliged to transmit to the Ministry the correspondence which is addressed to the consignees and agents in Europe, giving them instructions for the sale of guano, and notify the result of each cargo, and also present the original correspondence which may be received from them.

12. On receiving the document stated in the preceding Articles, a balance and liquidation of the account of the Company shall be made annually, so that the Government may dispose of the profit which may result in its favour.

13. Quiros and his partner shall deliver into the Treasury within the period of four months on account of said profit, the sum of 87,000 dollars and 50,000 dollars on each of the four months following the present; the Government in compensation of this advance concedes to Quiros and Allier the permission to load on their account for once only the ship "Rosa," or "Scandinavia," which is at present in the port of Callao, and is about to be nationalized as Quiros' property.

14. It not being allowed to abstract guano from any other port than the island to the north of those of Chincha, until the survey of all the places where this substance is found, in conformity with the opinion of the Council of State of 24th of November last, as well as to the other reports therein referred to, so as to ascertain if it is or not consumable, and in what time, the sight of which measure and approximate calculation ought to be concluded within the year, it is a condition that if it results from said examination that the guano may be deficient in a short time, the present contract cannot be extended to more than the exportation of 20,000 tons.

15. The extraction of guano from any point where it may be found is free, provided it be for the use of the agriculture of the country, and shall continue so without any alteration, as at present; but whenever it may be discovered that vessels which carry on this trade transship the guano and carry it to foreign parts, they shall be confiscated, and shall be subjected to other penalties established against the defrauders of the national revenue.

16. All the disputes or incidents which may occur respecting the present contract, in whatever manner they proceed, are to be subject to the decision of the Supreme Court, in conformity with its constituent attribution, and their decision shall be rigorously and strictly observed.

17. Out of the profits of this negotiation which results in favour of the State, the Government will determine the part which ought to be applied to the foreign debt, previously making with its creditors the necessary arrangements, to verify the payment, without in this Quiros or Allier having any intervention therein, unless they shall receive this charge from the Government.

18. Don Francisco Quiros and Don Achilles Allier bind themselves with the property they have, expressly mortgaging it for the fulfilment of the contract; and the State by reason of the advance which they receive from them, and on

the expense incurred in the exportation of guano, mortgage also what remains on the island where shipments are made.

Register it in the Audit Office; let it pass to the general Treasury, that it may order the issue of the respective deed, and on its being done return the document to the Ministry.

Rubric of his Excellency.
(Signed) CANO.

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No. 5.

*Vice-Consul Sealy to the Earl of Aberdeen.*—(*Received August* 12.)

My Lord, *Lima, March* 28, 1842.

I HAVE the honour to transmit herewith a copy of a decree which has been issued by the Government of Peru, under date of the 21st instant, directing the adoption of sundry measures for the prevention of the contraband of guano, and establishing certain regulations relative to the extraction and sale of that article for home (Peruvian) consumption.

And I beg to call your Lordship's attention to the 1st, 2nd, 3rd, 13th, 15th, 16th, 17th, 18th, 20th, and 21st Articles of the before-cited decree, translations of which are herein inclosed.

The untranslated Articles merely contain custom-house and port regulations exclusively referring to national vessels.

I have, &c.
(Signed) GEO. T. SEALY.

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Inclosure in No. 5.

*Decree of March* 21, 1842, *respecting Guano.*

*Ministerio de Hacienda.*

El ciudadano Manuel Menendez, Presidente del Consejo de Estado, encargado del Poder Ejecutivo de la Republica;

SIENDO urjente dictar algunas medidas que eviten el contrabando que puede hacerse del huano en perjuicio de los intereses del Estado, y al mismo tiempo reglamentar la extraccion y venta de aquella sustancia de que indispensablemente necesita la agricultura del pais; de acuerdo con el Consejo de Estado, en virtud de la atribucion 26 del Articulo 87 de la Constitucion;

Decreto:

Art. 1. Todo buque nacional que haga actualmente el comercio de huano para la agricultura del pais, se inscribirá de nuevo en el término de tres meses en la matricula del puerto á que pertenezca, y el capitan de este dará el correspondiente aviso á la Comandancia-Jeneral de Marina. En adelante ningun buque podrá ocuparse en este tráfico sin dicha formalidad.

2. El buque nacional que no se matricule en el término de los tres meses y se ocupe despues en trasportar huano, caerá en comiso.

3. Por ahora y mientras se hace el reconocimiento mandado practicar, la isla situada al norte de Chincha y el Pabellon de Pica son los únicos puntos de donde puede extrarse huano por los buques nacionales; y los que lo extraigan de otros puntos ó islas de la costa, que no sea la isla situado al norte de Chincha, ó el Pabellon de Pica, caerá en comiso.

4. Todo propietario ó capitan de buque nacional que quiera ir á cargar huano á la isla del norte de Chincha, se presentará en papel comun al teniente administrador de la aduana de Pisco para que le espida la correspondiente licencia, la que se le otorgará sin costo alguno; pero con la condicion de que despues de haber cargado deberá volver al mismo puerto, á tomar su despacho final.

5. Los buques nacionales que vayan á cargar huano al Pabellon de Pica, sacarán su licencia del administrador de la aduana de Islay, si el huano que van á extraer fuese para el consumo del departamento de Arequipa, y si para el de Moquegua, del administrador de la aduana de Arica, debiendo en el primer caso los capitanes recibir su despacho final en Islay, y en el segundo en Arica, si conducen el huano para descargarlo en algun puerto menor ó caleta habilitada en dichos departamentos.

6. Luego que llegue el buque al puerto para donde se le otorga la licencia, la presentará el capitan al administrador ó teniente administrador, quien con vista de la patente de navegacion, anotará en el reverso de dicha licencia, en letras y de ninguna manera en guarismos, la fecha de la salida del buque, el número de fanegas ó toneladas de que se componga el cargamento, y el lugar de su destino. Las licencias se numerarán y cortarán del libro que se formará al intento, cuyas fójas se rubricarán por el Ministro del Despacho. En el recorte de este libro, se anotarán, asi como en la licencia, en letras y no en guarismos, el número de esta, el de las fanegas ó toneladas de que se componga el cargamento, el lugar de su destino, y la fecha de la salida del buque. El libro debe remitirse al Ministerio del Despacho, luego que se concluya, para que lo mande archivar en el tribunal mayor cuentas.

7. Los administradores de las aduanas de Arica, Islay, y Pisco, remitirán mensual y directamente al Ministerio de Hacienda, razon circunstanciada de las licencias que otorgaren para que se tome de ellas la correspondiente en el susodicho tribunal.

8. Al llegar cada capitan al punto de su destino, entregará al administrador, teniente administrador, ó receptor de aduana, la licencia de que habla el Artículo 4, y despues de que se concluya la descarga, examinará el número de fanegas ó toneladas que haya traido el buque, reservará la licencia en su poder, y dara al capitan una torna guia conforme al modelo que se le remitirá, la que deberá presentar al administrador de la aduana del punto á donde fuere á tomar nueva carga, sin cuyo requisito no podrá recibirla, y en caso contrario quedará responsable á pagar el valor del cargamento, cuya descarga no acreditáre haber verificado con la referida torna guia en el punto á que estaba destinado.

9. Todo capitan ó propietario de buque que se presente para sacar nueva licencia, entregará en ese acto al administrador de la aduana la torna guia de que habla el Articlo 8, so pena de caer el buque en comiso y ser juzgado el capitan como defraudador de la propiedad nacional.

10. En caso que el capitan ó propietario del buque no sacáre, dentro del perentorio término de dos mesos, nueva licencia para cargar, remitirá en el primer correo que pasáre por el puerto en que se halle, la torna guia al administrador de la aduana que espidó la licencia, la cual le servirá de suficiente comprobante de haber cumplido con lo dispuesto en el Articulo 8, y sinó lo verificáse, quedará sujeto á la pena designada en el Articulo 9.

11. En las tornaguias se espresarán los nombres del buque y del capitan, los números de la licencia y de las fanegas ó toneladas que cargó. la fecha de su salida del puerto, ó caleta de donde proceda, y la de su llegada á aquel donde vaya.

12. Los administradores, y en su defecto la autoridad superior que resida en el lugar donde se desembarque el huano para el consumo del pais, ademas de cumplir las prevenciones contenidas en el Articulo 8 remitirán mensualmente al Ministerio del Despacho de Hacienda las licencias que recojan, anotando en cada una la fecha en que llegó el buque á que pertenezca, la de la tornaguia que se otorgó al capitan, y el número de fanegas ó toneladas desembarcado, para que el tribunal mayor

de cuentas haga el correspondiente cotejo con las licencias y examine si estas casan bien con el recorte de que se habla en el Articulo 6.

13. Solo puede desembarcarse huano para el consumo del pais en los puertos y caletas en que es permitido entrar á los buques nacionales por el reglamento de comercio, y demas habilitados por la costumbre para solo la importacion del huano.

14. Los capitanes que varien el destino de sus buques, llevando los cargamentos á un punto distinto del espresado en la licencia, serán juzgados como contrabandistas, y los buques y cargamentos caerán en comiso.

15. Todo buque nacional ó extranjero que fondeare ó entrare en las islns ó lugares en donde hubiere huano, sin la correspondiente licencia de las autoridades que deben otorgarla, caerá en comiso.

16. Todo buque nacional ó extranjero que estraiga huano de cualquiera otro punto que no sea de los señalados en el Articulo 3, caerá en comiso con su cargamento, y el capitan será juzgado como contrabandista.

17. Toda contravencion á lo dispuesto en los Articulos anteriores será juzgada por los juzgados de aduana en la parte que corresponde al comiso de los buques y sus cargamentos, y distribucion de su valor entre los denunciantes y aprensores, conforme á lo dispuesto en el Reglamento de Comercio.

18. Los capitanes de los buques de la Compañia del Estado quedan sujetos á la observancia de las formalidades establecidas en los Articulos anteriores, en la parte que les corresponda, y los sócios de ella obligados á cumplir las condiciones contenidas en el contrato aprobado en 19 de Febrero del presente año.

19. Ningun buque de la Compañia podrá trasbordar el huano que conduzca, sino en el puerto de su destino, y siempre que se hiciere en este, deberá acreditarse con un certificado de la respectiva aduana, la cantidad que se hubiese trasbordado, y la que se hubiese esportado.

20. Se prohibe cazar ó matar pájaros en las islas huaneras y tomar sus nidadas ó polluelos, y el que lo hiciere, será penado en un peso á favor del denunciante por cada pájaro, huevo ó polluelo que tomáre ó matáre.

21. Se aumentan cuatro plazas de guardas de á pie en el resguardo del Callao, y dos en el de Pisco, para que los primeros vayan alternándose en los buques de la compañia que se presenten á la carga, y los segundos ronden semanalmente las islas del huano. Los guardas que se aumentan en los resguardos del Callao y Pisco cesarán luego que termine la contrata.

El Ministro de Estado en el Departiamento de Hacienda queda encargado de la ejecucion y complimiento de este Decreto, que se publicara y rejistrará donde corresponda; y dése cuenta a la próxima Lejislatura.

Dado en la casa del Supremo Gobierno en Lima, á 21 de Marzo de 1842—22.

(Firmado) MANUEL MENENDEZ.
LUCIANO MARIA CANO.

(Translated Extracts.)

*Department of Finance.*

The citizen Manuel Menendez, President of the Council of State charged with the executive power of the Republic;

IT being of urgent necessity that measures should be adopted for the prevention of the contraband which may be carried on in guano, in prejudice to the interests of the State; and at the same time, that regulations should be issued relative to the extraction and sale of that article, which is indispensably necessary to the agriculture of the country; with the approbation of the Council of State, and in virtue of the 26th Attribution of the 87th Article of the Constitution;

Decrees:

Art. 1. Every national vessel which shall actually be engaged in the trade of guano for the agriculture of the country, shall be inscribed afresh, within the period of three months, in the register of the port to which she may belong; and the captain of that port shall give due notice thereof to the Commandant-General of Marine. Henceforward no vessel shall be allowed to carry on this trade without having first complied with the said formality.

2. Every national vessel which shall not have been registered within the period of three months, and which shall afterwards be employed in the conveyance of guano, shall be confiscated.

3. For the present, and until the completion of the survey ordered to be made, the island situated to the north of Chincha Islands and the Pabellon de Pica, are the only places from which guano may be extracted by national vessels; and those which shall extract it from any other parts or islands of the coast, not being the island to the north of Chincha Islands, or the Pabellon de Pica, shall be confiscated.

13. Guano for home consumption can only be landed in the ports and creeks into which national vessels are by the commercial regulations allowed to enter, and in those ports habilitated by custom for the importation only of guano.

15. Every national or foreign vessel which shall anchor at or approach the islands or places in which there may be guano, without the usual licence from the authorities empowered to issue the same, shall be confiscated.

16. Every national or foreign vessel which shall extract guano from any other places than those designated in Article 3, shall be confiscated, together with her cargo, and the master thereof shall be prosecuted as a smuggler.

17. Every contravention of the provisions of the foregoing Articles shall be tried before the courts of the custom-house, in so far as relates to the confiscation of the vessels and their cargoes, and the distribution of the value of the same amongst the informers and captors, in conformity to the provisions of the commercial regulations.

18. The captains of vessels belonging to the Company of the State, shall be required to observe the formalities established by the preceding Articles, in so far as they may correspond to them, and the shareholders thereof obliged to fulfil the conditions contained in the contract approved on the 19th of February of the present year.

20. It is prohibited to shoot or kill birds upon the guano islands, and also to take their eggs or nestlings; and the person doing so shall be mulcted in the sum of one dollar, in favour of the informer, for every bird, egg, or nestling that he shall take or kill.

21. Four additional officers, on foot, shall be attached to the coast guard at Callao, and two to that at Pisco, in order that the former may in turn be put on board the vessels of the Company which shall present themselves for the purpose of taking in cargo, and that the latter may make weekly rounds of the guano islands. The extra officers appointed at Callao and Pisco shall be discharged on the expiration of the contract.

The Minister of State in the Department of Finance is charged with the execution and fulfilment of this Decree, which shall be published and registered where it may correspond, and let it be submitted to the next Legislature.

Given in the Government House at Lima, on the 21st of March, 1842.

(Signed) MANUEL MENENDEZ.

(Countersigned) LUCIANO MARIA CANO.

No. 6.

*Vice-Consul Sealy to the Earl of Aberdeen.—(Received September 20.)*

My Lord, *Lima, May* 14, 1842.

WITH reference to my despatch of the 28th of March last, transmitting to your Lordship a copy and translated extracts of a decree of the Peruvian Government, directing the adoption of sundry measures for the prevention of the contraband of guano, and establishing certain regulations relative to the extraction and sale of that article for home (Peruvian) consumption, I have the honour to inclose herein a copy and translation of a decree issued by the Government of Peru, under date of the 10th instant, enacting further measures for the regulation of the export of Peruvian guano to foreign parts.

I have, &c.

(Signed) GEO. T. SEALY.

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Inclosure in No. 6.

*Decree of May* 10, 1842, *respecting Guano.*

El ciudadano Manuel Menendez, Presidente del Consejo de Estado, encargado del Poder Ejecutivo, &c.

Considerando:

QUE conforme al contrato celebrado con Quiros, Allier y Ca., Puimirol, Poumaroux y Ca., y Gibbs, Crawley y Ca., en 19 de Febrero último, para la exportacion del huano de las islas de la República al estranjero, nadie puede hacerla, sin que sea por medio de la indicada sociedad;—que por decretos de 12 y 21 de Marzo último, se prohibe a todo buque extranjero ó nacional que se dirija a las islas ó lugares donde hubiese huano, sin la correspondiente licencia de las autoridades que deben otorgarla; y finalmente, que la nacion está en el pleno derecho de prohibir la estraccion de esta sustancia por medios distintos de los espresados;

Decreto:

Art. 1. No puede extraerse para el extranjero cantidad alguna de huana de ninguna parte del territorio de la República en buque extranjero ó nacional, sino de la isla del norte de las de Chincha, y únicamente por la Compañia del Estado con Quiros y demas sócios.

2. Toda persona que directa ó indirectamente contribuya ó copere a la estraccion de huano al extranjero de cualquier otro punto del designado, será obligada a satisfacer al contado sesenta pesos por tonelada de las que rejistre el buque, que lo haya cargado, y no verificándolo, se le embargarán y rematarán bienes suficientes a cubrir el totál que se aplicará a los denunciantes, conforme a las leyes que arreglan los comisos en las aduanas, por cuyos juzgados se seguirá la causa.

3. Los buques que hagan el contrabando, ó quebranten los Articulos 15 y 16 del Decreto de 21 de Marzo último, caerán en comiso, y sus capitanes serán sometidos á juicio como contrabandistas.

Art. 4. Ninguna autoridad de la República puede en caso alguno conceder permiso para la extraccion del huano al extranjero, y las aduanas no otorgarán los despachos que se les pidieren, sino la del Callao, para solo los buques de la Sociedad con el Estado.

El Ministro de Hacienda queda encargado de librar las órdenes convenientes a la ejecucion y cumplimiento de este Decreto.

Dado en la casa del Supremo Gobierno en Lima, a 10 de Mayo de 1842.

(Firmado) MANUEL MENENDEZ.

LUCIANO MARIA CANO.

(Translation.)

The citizen Manuel Menendez, President of the Council of State, charged with the Executive Power, &c.

Considering:

THAT, in conformity to the contract concluded with Quiros, Allier and Co., Puimirol, Poumaroux and Co., and Gibbs, Crawley and Co., on the 19th of February last, for the exportation of guano from the islands of the Republic to foreign parts,—no one can do so unless by means of the said company;—that by the Decrees of the 12th and 21st of March last, all foreign or national vessels are prohibited from proceeding to the islands or places where there may be guano, without the corresponding licence from the authorities by whom the same should be granted; and finally, that the nation has a full right to prohibit the export of this article by means different to those before mentioned;

Decrees:

Art. 1. No quantity of guano shall be exported to foreign parts from any part of the territory of the Republic, whether in a foreign vessel or in a national vessel, excepting from the island north of the Chincha Islands, and solely by the Company of the State with Quiros and others.

2. Every person who shall either directly or indirectly aid or co-operate in the extraction of guano for foreign parts from any point other than that designated, shall be obliged to pay in cash, 60$ (equal at the exchange of 48*d.* per dollar to 12*l.* sterling) per register ton of the vessel on board of which it may have been laden; and in the event of this payment not being effected, a sufficient quantity of his property shall be seized and sold by auction to cover the total amount, which shall be delivered to the informers, conformably to the laws for the regulation of confiscations by the custom-house, before the tribunals of which the trial shall be instituted.

3. Vessels which shall engage in smuggling, or which shall violate the 15th and 16th Articles of the Decree of the 21st of March last, shall be confiscated, and the masters thereof shall take their trial as smugglers.

4. No authority of the Republic can in any case concede permission for the export of guano to foreign parts, and the custom-houses shall not grant the licences for which application may be made to them, excepting that of Callao, and then only to the vessels of the Company formed with the State.

The Minister of Finance will issue the necessary orders for the execution and fulfilment of this Decree.

Given in the Government House in Lima, the 10th of May, 1842.

(Signed) MANUEL MENENDEZ.

(Countersigned) Luciano Maria Cano.

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No. 7.

*Viscount Sandon to Viscount Canning.*

20, *Fludyer Street, March* 22, 1845.

LORD SANDON presents his compliments to Viscount Canning, and takes the liberty of requesting that his Lordship will have the goodness to furnish him with the means of satisfying the inquiry made in the inclosed letter from Messrs. J. Prowse and Company of Liverpool.

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Inclosure in No. 7.

*Messrs. Prowse to Viscount Sandon.*

My Lord, *Liverpool, March* 19, 1845.

WE should feel greatly obliged if your Lordship could obtain for us from the Foreign Office, the under-mentioned intelligence. G. H. Lawrence, Esq., has kindly desired us to make use of his name to your Lordship, if it would be of service to us.

It is supposed that guano may be obtained from two islands (or rocks) lying at some distance from the coast of Upper Peru, named "Lobos a Tierra" and "Lobos Afuera." We wish to be informed whether these islands belong or are subject to the Republic of Peru, and if by sending a vessel to either or both of these islands (or rocks), we should be infringing upon the laws, or rendering ourselves amenable to any proceedings from that Republic?

An early answer will oblige your, &c.

(Signed) J. PROWSE & Co.

Position of said islands:—
Lobos de Tierra, o de Solavento, Latitude 6° 35′ S., Longitude 80° 45′ W.
Lobos de Afuera, o de Barlovento, Latitude 6° 59′S., Longitude 80° 42′ W.

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No. 8.

*Viscount Canning to Viscount Sandon.*

*Foreign Office, March* 27, 1845.

VISCOUNT CANNING presents his compliments to Viscount Sandon, and regrets that he cannot satisfactorily reply to Lord Sandon's note of the 22nd instant, or answer the inquiry made by Messrs. J. Prowse and Co., further than by stating that the two islands named by Messrs. J. Prowse and Co. are supposed to form part of the Territory of Peru; and that guano cannot be exported from Peru without a licence to that effect from the Government of that Republic.

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No. 9.

*Sir Howard Douglas to the Earl of Aberdeen.—(Received July* 26.)

20, *Fludyer Street, July* 24, 1845.

SIR HOWARD DOUGLAS presents his compliments to the Earl of Aberdeen, and begs to transmit for his Lordship's favourable consideration, the inclosed memorial of Mr. Robert Falk, of Liverpool, representing that his vessel, the "Hibernia," has been seized, detained, and virtually confiscated by the Peruvian Government, under the circumstances described in the memorial; and praying the intervention of Her Majesty's Government with the Government of Peru, with the view of obtaining for him ample compensation for the heavy pecuniary loss alleged to have been thereby inflicted upon him.

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No. 10.

*Mr. Falk to the Earl of Aberdeen.—(Received July* 26.)

My Lord, *Liverpool, July* 22, 1845.

IT is with much regret that I have to-day to direct the attention of Her Majesty's Government, and to claim their assistance and protection in a case where the property and persons of Her Majesty's subjects have been most wantonly and unjustly outraged, and that too by the officers of a Government at amity with Her Majesty's Government.

About two years ago, the British brigantine "Hibernia," of Liverpool, belonging to one of our first Liverpool merchants, James Dempsey, Esq., and myself, and which since, by purchase, has become my entire property, was sent from this on a trading and fishery voyage to the Pacific Ocean, under the superintendence of a son of Mr. Dempsey, Henry Dermott Dempsey, as supercargo, being fitted out in a very superior manner, and furnished with the new patent diving apparatus, so much used now in this country by Government for submarine works. She was employed all last year in pearl-fishing and trading upon the western coast of South America, and when at Lima in November last, the supercargo, Henry D. Dempster, hearing of the loss of a vessel with a large quantity of treasure on board near the Lobos Islands, close to Lambayeque, in Peru, he made for that part of the coast, thinking that as his diving apparatus was the only one in South America, he would earn an excellent salvage previous to returning to Europe with a cargo of saltpetre, which he had been ordered to buy for owners' account in that neighbourhood.

The lost vessel being already entirely broken up, nothing but some chains were recovered by the "Hibernia," after a fruitless and arduous attempt of several weeks. The vessel then returned to Lambayeque; and it will be necessary to state that during her attempt to rescue the treasure from a depth of thirty yards under water, she had on board not only a custom-house officer and the owners of the lost treasure, but also a customs' licence.

The vessel had no sooner entered the Port of Lambayeque than the supercargo, Henry Dermott Dempsey, and the crew, were placed under arrest by the captain of the port; an embargo laid on the vessel, under some spurious pretence of violation of regulations; and the vessel subsequently condemned by the customs; they having allowed the same to run full of water. They not only seized the ship's papers, but actually took away the sails and inventory, depriving her of everything.

Against this arbitrary and unjustifiable proceeding the supercargo appealed to the courts of Lambayeque, which reversed the sentence. The other parties, not satisfied with this, took the matter to Truxillo, where they gained their point; and the supercargo then thought it his duty to go to the Supreme Court of Peru, at Lima, where, after paying fees and law expenses to the amount of several hundred pounds sterling, the proceedings were smashed, the court advising a new investigation which is now proceeding.

In the meantime, the vessel, if returned, will be perfectly useless to me; and I trust that Her Majesty's Government will see the necessity of protecting the commerce of this country, in distant parts, by compelling the Peruvian Government not only to disavow the scandalous proceedings of their officer, but also make immediate restoration of the value of the property they have robbed me of.

| | £ | s. | d. |
|---|---|---|---|
| The value of the brigantine "Hibernia" (a coppered vessel only three years old, with her outfit, interest, and expenses, up till to-day) is .. .. .. | 2,800 | 0 | 0 |
| To which have to be added the law expenses incurred till now, and the supercargo's passage home .. .. .. .. .. .. .. | 200 | 0 | 0 |
| And the freight she would have made upon the cargo of saltpetre to Liverpool, which the supercargo had orders to buy, and which would have come to an excellent market .. .. .. .. .. .. .. .. | 2,000 | 0 | 0 |
| Making together .. .. .. .. | 5,000 | 0 | 0 |

I trust that Her Majesty's Government will, by the next West India mail, instruct the Admiral commanding the squadron, Her Majesty's ships in the Pacific, to repair to Lima, to demand the repayment of the above sum from the Peruvian Government, and such other damages as the unjustifiable arrest of a British vessel call for, and if not complied with immediately, take such steps as will enforce its payment.

I may mention that the Commander of a United States' man-of-war being at Lambayeque when this transaction took place, and knowing the whole of the circumstances from personal investigation, stated that if such an insult had been offered to any vessel belonging to his flag he would have immediately applied main force in settling the question.

Mr. Dempsey as well as myself are known personally to several members of your Lordship's house, as well as to many honourable members of the other House of Parliament, which may be a guarantee to your Lordship that we would not state but what will bear the strictest investigation.

I have, &c.
(Signed) ROBERT FALK.

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No. 11.

*Mr. Bidwell to Mr. Adams.*

Sir, *Foreign Office, July* 30, 1845.

I AM directed by the Earl of Aberdeen to transmit a copy of a letter from Mr. Robert Falk, of Liverpool, claiming compensation for the alleged improper acts of the Peruvian authorities at Lambayeque, in detaining and confiscating his vessel the "Hibernia;" and I am to instruct you to inquire into the circumstances of this case, and to make a full report thereupon to his Lordship.

I am, &c.
(Signed) JOHN BIDWELL.

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No. 12.

*Viscount Canning to Mr. Falk.*

Sir, *Foreign Office, August* 11, 1845.

I AM directed by the Earl of Aberdeen to acknowledge the receipt of your letter of the 22nd ultimo, and to state to you that his Lordship will cause inquiry to be made in Peru, respecting the circumstances therein adverted to, relative to the detention and confiscation of your vessel, the "Hibernia," at Lambayeque.

I am, &c.
(Signed) CANNING.

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No. 13.

*Mr. Falk to Viscount Canning.—(Received December* 8.)

*Winsford Lodge, near Middlewich, Cheshire,*
My Lord, *October* 6, 1845.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 11th August, upon the subject of the illegal confiscation of brigantine "Hibernia" by the Peruvian authorities, and have now received further accounts of said vessel, which can leave no doubts as to the justice and propriety of my claim to compensation, and I trust that Her Majesty's Government will see the necessity of enforcing immediate payment, unless they wish to see a continuance of these outrages upon the persons and properties of British subjects.

The accounts above referred to are of the 18th June, from Truxillo, stating, that "the Supreme Tribunal of Peru, after a thorough investigation of the circumstances, had exempted the supercargo and captain from all blame, and ordered the immediate restitution of the vessel to her lawful owners, which accordingly had been done;" thereby acknowledging the whole of the proceedings,—the seizing, condemnation, and detention for nine months, as well as the imprisonment of British subjects by their officers—to have been an illegal act of theirs.

Through this illegal detention, the whole of the objects of the voyage have been frustrated, an otherwise profitable voyage has been changed in

an exceedingly disastrous one, and even if the damages I claim, say 3000*l.*, are paid to me, I shall be a considerable loser.

I trust with these facts before their eyes, Her Majesty's Government will see the necessity of immediately enforcing my just claims, and in case of refusal take those coercive steps which I am sure either the French or American Government would have taken if such a case had happened to a subject of theirs.

From my own knowledge of Peruvian affairs, I feel satisfied that nothing short of a demonstration on the part of Her Majesty's Naval Forces in the Pacific, will induce the Peruvian Government to pay my just claim.

I trust it will not be long before I receive a satisfactory answer upon the subject, and in the meantime I have, &c.

(Signed) ROBERT FALK.

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No. 14.

*Mr. Bidwell to Mr. Adams.*

Sir, *Foreign Office, October* 31, 1845.

WITH reference to the despatch of the 30th of July last which was addressed to you on the subject of the detention of the British vessel "Hibernia," of Liverpool, by the Peruvian authorities at Lambayeque, I am directed by the Earl of Aberdeen to forward to you the copy of a further letter which his Lordship has received from Mr. Robert Falk, stating that the "Hibernia" had been restored to the owners, after a detention of nine months, and repeating his demand for compensation from the Government of Peru, for the unauthorized detention of the before-mentioned vessel; and I am directed by the Earl of Aberdeen to instruct you to make inquiries respecting the circumstances under which the vessel was detained, and to give all the support to Mr. Falk's claim which, under the circumstances, Her Majesty's Government can properly afford.

I am, &c.

(Signed) JOHN BIDWELL.

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No. 15.

*Mr. Addington to Mr. Falk.*

Sir, *Foreign Office, November* 6, 1845.

IN reply to your letter of the 6th ultimo, requesting that Her Majesty's Government would obtain compensation for the seizure and detention of your vessel the "Hibernia" by the Peruvian authorities, I am directed by the Earl of Aberdeen to inform you that Her Majesty's Chargé d'Affaires in Peru has been instructed to inquire into the circumstances stated in your letter, and to render you all the assistance he properly can in supporting your claim.

I am, &c.

(Signed) H. U. ADDINGTON.

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No. 16.

*Mr. Adams to the Earl of Aberdeen.*—(*Received February* 10, 1846.)

My Lord, *Lima, December* 3, 1845.

THE case of the "Hibernia," which is the subject of your Lordship's despatch of the 30th of July last, has been carefully watched by me during its whole course, of which I have now the honour to submit a full report, in compliance with your instructions.

The British brigantine "Hibernia," under controul of the supercargo, Mr. H. Dempsey, a son of the owner, sailed from Callao on the 14th of November, 1844, with a regular clearance for the Port of Lambayeque; but instead of going direct to that port, she went to the Lobos Islands in search of treasure from a wreck, without having obtained the permission either of the custom-house or the owners of the treasure, such proceeding being contrary to law. She remained at those islands from the 19th of November, 1844, till the 10th of January, 1845, when she went to Lambayeque; but in order to prevent the transaction from being known, the date of the sailing-licence from Callao was fraudulently altered. She then obtained a licence to go to the Lobos, although it is asserted that her first voyage to those islands was known to the authorities; and this second voyage is correctly described in Mr. Falk's letter to your Lordship of the 22nd of July, as being undertaken with a proper licence, and in the presence of a custom-house officer and one of the owners of the lost treasure. I have the honour to inclose the copy of a letter from Mr. Dempsey, in which most of the above facts are admitted.

On the second arrival of the "Hibernia" at Lambayeque, her first voyage had become officially known, as well as the alteration of the Callao clearance; the vessel was therefore seized by the authorities, and Mr. Dempsey detained on shore.

Mr. Falk's letter states correctly, that the sails were taken on shore; but he omits to add that this was done in consequence of an attempt of the master to get the vessel under weigh and escape; in proof of which I have the honour to refer to the depositions of two seamen, taken before Mr. Vice-Consul Barton. It is equally true that the vessel was allowed to run full of water, but Mr. Falk has failed to inform your Lordship that the leak was first discovered immediately after a visit paid to the vessel by the master, supercargo, and carpenter, and that, upon pumping her out, two auger-holes were found in her bottom, for which the carpenter was sent a prisoner to Callao, and is now on bail awaiting his trial on a charge of scuttling the vessel. In this state she was saved from sinking by the assistance of the United States' schooner of war "Shark."

I have the honour to transmit to your Lordship copies of a despatch and its inclosures from Rear-Admiral Sir George Seymour, containing the account of this transaction given by the Commander of the "Shark;" and a copy of my answer, in which I inform the Admiral that I had prevailed upon the Peruvian Government to give orders for the safety of the vessel, which was supposed to be endangered while awaiting her trial.

Under these circumstances, Sir George Seymour resolved to dispatch Her Majesty's ship "Modeste" to Lambayeque, to inquire into the matter, and to afford every protection possible to British persons and property. The "Modeste" sailed from Callao on the 8th of March, and I have the honour to inclose a copy of the report which Commander Baillie was ordered to make to me in the Admiral's absence, confirming in every particular what I have already stated.

The "Hibernia" was condemned in the Court of First Instance; she was acquitted on the first appeal, and finally absolved by a Superior Court; of which sentence I have the honour to inclose a copy and translation, manifesting an evident anxiety to find grounds of acquittal. Mr. Dempsey then applied to me for advice whether he should abandon the

vessel and bring a claim against the Peruvian Government for damages for detention. I replied, that unless he could satisfactorily clear up the accusations, that he undertook the first voyage contrary to law; that he falsified the date of the sailing-licence from Callao; that he attempted to resist the seizure of the vessel; and that the carpenter had attempted to scuttle the vessel while he and the master were on board, I considered the facts to involve so much grave suspicion that I should not feel myself authorized to support a claim for damages for detention on trial.

Mr. Dempsey made no attempt to clear his conduct from these charges, but brought his vessel to Callao and there sold her, as appears from the inclosed copy of a despatch from Mr. Vice-Consul Barton.

The forms of law may have produced some unnecessary, though not unusual, delay in bringing this case to a conclusion; but neither in form nor in substance has there been sufficient cause for a remonstrance to the Peruvian Government, without special instructions from your Lordship.

I have, &c.

(Signed) WILLIAM PITT ADAMS.

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Inclosure 1 in No. 16.

*Mr. Dempsey to Mr. Adams.*

Sir, *Lambayeque, February* 14, 1845.

BEING placed here in very unpleasant circumstances, I take the liberty of addressing a few lines to you, and stating my case as briefly as possible.

I left Callao with the brigantine "Hibernia," on November 14, 1844, on a fishing speculation, and cleared out for this port; but instead of proceeding here, I unfortunately went to the Lobos Islands, without having obtained permission to do so, where I arrived on November 19, 1844, and remained there until January 10, 1845, when I proceeded to this port in order to obtain information, and I also procured permission to go over to the Lobos Islands, having been informed on my arrival here that it was necessary to do so. The licence was given by the sub-prefect of this district; and at that time it was well known here that the vessel had been over at the Lobos Islands previous to coming over to this port, and notwithstanding this, the permission was given us. I then embarked afresh for the Lobos Islands, having on board a custom-house officer and a gentleman belonging to the Delgado family. On my return to the port after an absence of about a week, on purpose to land the custom-house officer, I was not on shore more than a quarter of an hour when I was placed under arrest by the captain of the port, without he having stated his grounds for such a proceeding. The captain of the port then proceeded on board with six custom-house officers and several Indians, and took forcible possession of the vessel under the pretence of passing an ordinary visit. He then forcibly sent the captain on shore and all the crew, with the exception of the mate and two hands; he also seized all the sails, arms, and log-book, and sent them on shore, and prohibited us from going on board. Since then the mate has absconded with the long-boat and the two of the crew that were on board, leaving the vessel at the mercy of the custom-house officer that was in charge, and the six Indians.

The captain and myself then asked permission to visit the vessel, in order to see if the mate had robbed any of our effects. This they allowed, ordering the custom-house officers to accompany us. After having been on board about half-an-hour, we left for another vessel lying in the harbour. We had not been there long before the custom-house officer in charge came and reported to us that the vessel was making much water. We immediately went on shore and informed the captain of the port, and requested assistance. The captain of the port then proceeded on board, and with the assistance of the United States' man-of-war schooner "Shark," at that moment just arrived, took the water out of her and made her sound. On the captain of the port's return he placed the carpenter who had accompanied us under arrest, under the charge of having attempted to sink her, and having kept him in confinement ever since, when it was more likely that one of the Indians, at the instigation of the captain of the

port, had attempted to do it, who had several times advised me to set fire to and sink the brig.

This is the substance of the case as briefly as I can state it to you; and I trust you will be so kind as to send a commission to inquire into the case, and if you find that we have not been wilfully guilty of any violation of the laws, you will protect us and the vessel under English colours.

The captain of the United States' schooner "Shark" has kindly promised to take this, and to state to you the more minute circumstances of the case, as the hurry of his departure prevents me from entering into details. Trusting you will make allowances for the hurry I have been put to,

I remain, &c.

(Signed) HENRY D. DEMPSEY.

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Inclosure 2 in No. 16.

*Depositions of Daniel Jackson and Edward Hewett.*

THIS day personally appeared before me, John Barton, Esquire, Her Britannic Majesty's Vice-Consul to Peru, Daniel Jackson and William Hewett, seamen, belonging to the English brigantine "Hibernia," belonging to the Port of Liverpool in Great Britain, who voluntarily and severally declared, That they, the said appearers, set sail in the brigantine from the Port of Callao in the latter part of the month of November last past, and proceeded direct to the Lobos Islands, where they found a quantity of fishermen; that the diving-bell of the aforesaid brigantine was sent down several times to the wreck of the Chilian brig "Manuela," but did not find any money, and only brought up a few skins and a few common straw hats. That there is guano on the island, but that nothing was taken off the island but some stone ballast. That after being at these islands for nearly a month, the appearers proceeded in the brig "Hibernia" to the Port of Lambayeque; that after laying a few days off Lambayeque under sail, a person called Don Pedro, and another person called Don Manuel, the latter being a custom-house officer, came on board, and the vessel sailed for the Lobos Islands again, with the above-mentioned gentlemen; that on the second arrival of the aforesaid brigantine at the Islands of Lobos, the diving-bell was sent down several times, and they got up three anchors and about fifty fathoms of chain cable, after which the aforesaid brigantine returned again to the Port of Lambayeque, where they came to an anchor; that on Mr. Dempsey going on shore he was made prisoner by the captain of the port (Mr. Dempsey being the son of the owner of the brigantine "Hibernia"), who proceeded on board the said brigantine on a *balsa* (raft), himself and men being armed, and took possession of her; that the mate of the vessel gave orders to the crew to cut her cable, and he himself loosed the jib, which was prevented from being hoisted by the captain of the port; that the master of the brigantine, John Kenney, was then taken on shore prisoner by the captain of the port, who left orders to have the larboard anchor let-go, and not to go to sea, leaving on board about eight or nine men in possession; that on the following day the sails were all unbent and taken on shore, as well as the arms belonging to the vessel, say muskets and cutlasses, with a small keg of powder, also five gold watches belonging to the master; that some days after the carpenter and two able seamen were taken on shore, where they were kept for nearly three weeks, when they, the deponents, heard that the mate, cook, and one seaman, had run away with the long-boat of the before-mentioned brigantine, and that they have not been heard of since; that some day after the above event, Mr. Dempsey, the mate, and the carpenter, went on board the brigantine to get some clothes, having procured leave from the captain of the port, and returned on shore the same evening with a few things that were left, most of their clothes having been plundered; that the following day a *balsa* came on shore to say that the vessel was sinking; that the United States' schooner "Shark" made her appearance, and on application of the captain of the port, the officer commanding the "Shark" sent a party of men on board the brigantine, who pumped her out and stopped the leak; that the commander

of the United States' schooner "Shark" offered the deponents a passage to Callao, which they accepted, the captain of the port of Lambayeque having no objection thereto.

(Signed) DANIEL JACKSON,
his
EDWARD ⋈ HEWETT,
mark.
*Seamen of the English brigantine "Hibernia."*

(Signed) JOHN BARTON,
*British Vice-Consul to Peru.*

Daniel Jackson and Edward Hewett, seamen, belonging to the English brigantine "Hibernia," of Liverpool, being duly sworn upon the Holy Evangelists of Almighty God, do severally make oath and say that the several matters and things set forth in the foregoing deposition, which has been clearly and distinctly read over to them, the deponents, are just and true.

(Signed) DANIEL JACKSON,
his
EDWARD ⋈ HEWETT.
mark.

Sworn at the British Consulate at Callao, this sixth day of March, in the year of our Lord one thousand eight hundred and forty-five.

Before me,
(Signed) JOHN BARTON,
*British Vice-Consul to Peru.*

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Inclosure 3 in No. 16.

*Rear-Admiral Sir George Seymour to Mr. Adams.*

Sir, *"Collingwood," Callao, March* 6, 1845.

I TRANSMIT herewith copies of letters which Commodore Stoat has sent me, relative to the detention of the British brig "Hibernia" at Lambayeque, by which also it appears that one or more of her crew are imprisoned at that place by the local officers of the Peruvian Government.

I also add a memorandum of the verbal statement made to me by Lieutenant Howison, of the United States' schooner "Shark," of the supposed circumstances attending the detention of the "Hibernia."

I have requested Mr. Barton to take the depositions of the two men belonging to the vessel who have arrived in the "Shark," and propose to order one of Her Majesty's ships to proceed off Lambayeque in consequence of this transaction.

I shall be obliged to you previously to furnish me with any information in your power as to the Peruvian law upon which the detention of the vessel is stated to be founded.

It cannot, as I apprehend, be permitted that a vessel seized for any infraction of the law should be detained at an unsafe anchorage, without any attempt being made to bring her to adjudication.

I have, &c.
(Signed) G. F. SEYMOUR,
*Rear-Admiral and Commander-in-chief.*

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Inclosure 4 in No. 16.

*Lieutenant Howison to Commodore Stoat.*

ON the 11th in the afternoon, I anchored at Lambayeque, just in time to save the English brig "Hibernia" from sinking, she having been scuttled in the morning and in the act of going down, when the "Shark's" men got on board

and baled her out. She was under seizure, and in the hands of the captain of the port, for a violation of a law of Peru which prohibits vessels touching at the Lobos Islands without special licence.

Upon landing at Lambayeque, the supercargo and captain of the "Hibernia," from the fact of there being no English Consul there, requesting me to intercede for the release of the carpenter of the brig, who was close prisoner on shore, on the charge of having attempted to destroy the brig by scuttling her; I did ask his release in a letter to the collector of the Customs; inclosed is a copy of it, with the answer I received. I offered to the supercargo and captain to bring any or all of them up to Callao, if they were in need of a passage. Two Englishmen availed themselves of the opportunity and are now on board.

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*United States' schooner "Shark,"*
*Lambayeque, February* 14, 1845.

Sir,

I HAVE been requested by the supercargo, Mr. Dempsey, of the seized brig "Hibernia," to intercede in favour of the carpenter of that brig, now confined on shore, on a charge of having scuttled that vessel.

I hope you will not consider it presumption in me to suggest that as the offence was committed on board a vessel bearing the English flag, and as it has been usual to submit such cases to the jurisdiction of the British Consul (if there should be any there resident) it would be in accordance with such custom to take the earliest opportunity of placing the accused within the jurisdiction of the British Consul at Lima.

The United States' schooner "Shark," under my command, sails this evening for the south, and it would be agreeable to me to give the accused a passage to Callao, and there place him on board a British Government ship, for such disposition as the Consul of his couutry may choose to make of him.

I am, &c.
(Signed) NEIL M. HOWISON,
*Lieutenant Commanding.*

To Fernando Ex. Helme, Esq.
Minister of Customs, Lambayeque.

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*Administration of Customs,*
*Port of San José, February* 15, 1845.

To the Commander of the United States' schooner "Shark."

TO the esteemed note which you yesterday addressed to the office under my care, offering to take the carpenter of the English schooner "Hibernia," Bernard Hood, and deliver him to his Consul at Lima, to be tried, if he should desire it, for the act charged against him of boring (scuttling) said brig "Hibernia," which was done on the 11th instant, I have to reply, that I instantly placed the whole matter before the Political Chief of this province, that his consent might be given, telling him at the same time that you only waited his decision until 8 o'clock of to-day, as the vessel under your command would sail at said hour for the Port of Callao.

It is now 8 o'clock in the morning, and I have not yet received the answer, by which I promised myself authority to act in the case, which I communicate to you with much regret, not having the satisfaction to fulfil your desires, as well as those which animate me as a Peruvian subject, towards a friendly nation, as is that of the United States.

God guard you, &c.
(Signed) FERNANDO EX. HELME.

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*Substance of the Statement of Lieutenant Howison respecting the "Hibernia."*

Lieutenant Howison states that the brig "Hibernia" was a vessel of about 110 tons, originally fitted out with a diving apparatus for getting pearl, which she failed in obtaining, near Panamá, and her captain died. That a young man, the mate, who since succeeded to the command, left Callao, clearing out for

Lambayeque last November, and having heard that a Chilian vessel had been lost with specie on board, on the Lobos d'Afuera rocks, about fifty miles to the west of Lambayeque, appears to have gone direct to the rocks, and to have recovered part of the wreck, but not, as he says, any money.

He then went to Lambayeque with the vessel, and put himself in communication with the captain of the port and the owners of the money lost in the Chilian brig, and with their approval took on board a Peruvian officer of the Customs, and went again to renew his attempt to save the lost specie, to Lobos d'Afuera, but was not more successful, and returned to Lambayeque, where his vessel was seized on the grounds of his having altered the date of the clearance from Callao, which he showed at his first arrival at Lambayeque, and having gone to the islands, which the Peruvians had forbid, in consequence of all guano on the coast being declared to be public property.

They sent officers and people on board armed, to make this seizure, but the master and crew attempted to sail in spite of them, but were prevented, and the principal part of the crew were landed, and also the vessel's sails.

There appears to have been afterwards a reference to Truxillo, to get the vessel's log translated, but in the beginning of February no order for the release of the vessel having been given, it seems that the master, supercargo, and carpenter, having been allowed to go on board the vessel, she was found afterwards to be sinking. This was prevented by the assistance of an American whaler, and subsequently by that of the United States' schooner "Shark," who found two auger-holes had been bored, which had produced the leak, and which were supposed to have been made by the master, supercargo, and carpenter, and the latter was placed in close confinement in the custom-house, notwithstanding the offer to bring him to Callao, made by Lieutenant Howison.

That officer concurs with Captain Fitzroy in considering the anchorage off Lambayeque as very unsafe. There is no communication with the shore possible, except by *balsas*, and a vessel cannot prudently anchor nearer than two miles from the village.

It is stated that the vessel is in ballast, and there is no reason to believe that she has attempted to take any guano at any time on board.

(Signed) G. F. SEYMOUR,
*Rear-Admiral and Commander-in-chief.*

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Inclosure 5 in No. 16.

*Mr. Adams to Rear-Admiral Sir G. Seymour.*

Sir, *Lima, March* 7, 1845.

I HAVE the honour to acknowledge the receipt of your despatch respecting the detention of the British brig "Hibernia" at Lambayeque. From the statements contained in the inclosures to your despatch and the depositions of the two seamen of the "Hibernia," I cannot entertain a very favourable opinion of the conduct of the master and supercargo, as, independently of the illegal voyage to the Lobos Rocks, which might be supposed to be justified by the consent of the authorities to a second voyage, there are three circumstances, any one of which might furnish sufficient grounds for the detention of the vessel for trial. I allude to the falsification of the clearance from the Callao custom-house; the attempt to scuttle the vessel; and the resistance offered to the authorities when they came to take possession of her.

It is very possible that all these points may be satisfactorily explained; but I did not feel myself authorized to do more, in an interview which I have just held with the Peruvian Minister, than to act upon the last paragraph of your despatch, by requesting that, in consideration of the dangerous anchorage off Lambayeque, orders might be sent for the conveyance of the "Hibernia" to a more secure harbour. The Minister promised to comply with my request, and proposes to send by any vessel you may dispatch to that port his orders to the provincial authorities on the subject.

I have, &c.
(Signed) WM. PITT ADAMS.

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Inclosure 6 in No. 16.

*Commander Baillie to Mr. Adams.*

Sir, *"Modeste," at Sea, April* 5, 1845.

IN accordance with my orders from Rear-Admiral Sir George F. Seymour, G.C.H., Commander-in-chief, I herewith transmit copies of my communication to him in the case of the British brigantine "Hibernia," the receipt of which I beg you will be pleased to acknowledge.

I have, &c.
(Signed) THOS. BAILLIE.

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Inclosure 7 in No. 16.

*Commander Baillie to Rear-Admiral Sir G. Seymour.*

Sir, *"Modeste," at Sea, April* 5, 1845.

I HAVE the honour to report to you, that on parting company with Her Majesty's ship "Collingwood," bearing your flag, on the evening of the 8th of March, 1845, I proceeded, in execution of my orders, off Lambayeque, where I anchored in Her Majesty's sloop under my command on the 11th of the same month at 6 P.M.

The following morning I received an official visit from the captain of the port, whom I accompanied on shore on a *balsa;* and on landing at the village of San José, I found the persons named in the margin,* belonging to the British brigantine "Hibernia," which vessel was at anchor in the roads under the charge of the custom-house authorities of the place.

With the view of fully carrying your instructions into effect, I proceeded to the town of Lambayeque, and had an interview with the Sub-Prefect of the province, who admitted there had been great delay in the trial of the "Hibernia," but accounted for it from being under the necessity of sending the vessel's log to Truxillo to be translated. He stated to me that she had already been tried and condemned to be confiscated for certain infractions of the established regulations by master and supercargo; but that an appeal had been made to a superior court at Lambayeque, and that the trial was then pending. The Sub-Prefect then stated, that under these circumstances he had not the power to give up the vessel, or to permit her removal to Callao or Paita; but he assured me that he would do all in his power to expedite the trial, which he believed would be concluded in three or four days,

Having received a letter from Mr. Dempsey, requesting me to await the issue of the trial, which I had strong reasons to believe would terminate favourably for the vessel, I decided on waiting the result in order to afford any assistance in my power; but several days having passed without my receiving any information, I addressed a letter to the Sub-Prefect, which letter and reply I have the honour to inclose.

On the 27th March I received a letter from Mr. Dempsey, informing me that the trial had ended in the vessel's acquittal, but that an appeal had been made by the prosecutors to the court at Truxillo, to which place I immediately proceeded and obtained an interview with the Prefect, to whom I delivered the letter addressed to him, and inclosed in your orders to me; urging upon him at the same time the necessity of removing the vessel to Callao, or to some other safe anchorage.

The state of the surf prevented my returning on board until the 3rd of April at 4 P.M., at which time I sailed for Callao.

Having collected all the information in my power relative to the seizure and detention of the "Hibernia," I beg to refer you to the accompanying state-

* George Kenney, Master; Henry D. Dempsey, Supercargo.

ment for the particulars, and to the annexed paper for the substance of the grounds on which the vessel was acquitted by the court at Lambayeque. I beg leave to inclose the other documents enumerated in the inclosed schedule.

I have, &c.

(Signed) THOS. BAILLIE.

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Inclosure 8 in No. 16.

*Particulars of the circumstances which led to the Seizure and Detention of the "Hibernia," by the authorities of Lambayeque.*

IT appears that the said brig sailed from Callao on the 14th November, 1844, having cleared out at that place for Lambayeque; that instead of proceeding directly hither she touched at the Island of Lobos, where she anchored twice without permission from the authorities; that they then proceeded to Lambayeque, where they obtained permission to proceed to the Island of Lobos, it being publicly known and spoken of in Lambayeque at the time the permission was granted, that they had been there twice previous; that on their return to Lambayeque, the supercargo was arrested by the captain of the port, who then boarded the vessel; and that whilst he was below in the cabin taking the deposition of the captain, an attempt was made to cut the chain-cable, and to get her under weigh, in consequence of which the master was brought on shore by the captain of the port, and the sails landed, after which the mate and two men deserted in the long-boat; that the captain, supercargo, and carpenter were subsequently permitted to accompany the captain of the port and collector of customs, for the purpose of taking a fresh inventory, in consequence of the desertion of the mate and men; that fifteen or twenty minutes after leaving the vessel she was found to be making water, which appeared to proceed from the auger-holes in her bottom. The carpenter had been left on board in charge of the vessel (by the captain of the port), and was immediately taken on shore with his tool-chest and placed in confinement.

That the date of her custom-house clearance from Callao was altered by Mr. Dempsey, the supercargo (by his own admission to me), from the 14th November, 1844, to the 6th January, 1845.

The object of the "Hibernia's" visiting the Island of Lobos was to recover property wrecked there in the brig "Manuel;" but it appears evident that they did not recover any bullion, of which a quantity was said to have been lost in the "Manuel."

Given under my hand, on board Her Majesty's ship "Modeste," at sea, this 5th day of April, 1845.

(Signed) THOS. BAILLIE, *Commander.*

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Inclosure 9 in No. 16.

*Substance of the grounds on which the "Hibernia" was acquitted by the Court of Appeal at Lambayeque.*

THAT the judicial proceedings by the captain of the port in the first stage of the process are illegal and void from the want of jurisdiction on his part, such not being within the sphere of his official duties, and likewise in his having a direct interest in the condemnation of the vessel, which in such case would be adjudged to him as a prize.

The defect of legal proof, the witnesses being *balsa* men (Indians), who are directly subordinate to him, subject to military law, being as such, not legal evidence according to the Spanish law, where their commander is a party concerned.

Want of legal evidence of the alleged log-book being that of the vessel.

Ignorance of the master as to the prohibition of the Island of Lobos, the law prohibiting which (of the 12th March, 1842) being declared to be part of and additional to the Reglamento de Comercio, and as such should have been notified as provided by Article 8 of that Reglamento; this was not done, nor is the said addition usually handed to masters of vessels in Callao for their government.

That though the axiom of the Spanish law is, that ignorance thereof is no justification for its infringement, and is true as far as regards subjects of the State, yet it does not hold good with respect to foreigners with respect to fiscal prohibitions of the nature of that pointed out, especially when such law provides it shall be notified to them, and this provision not complied with.

Knowledge of the captain of the port and other authorities, of the "Hibernia's" having touched at the Island of Lobos, notwithstanding which they subsequently granted licence to her to go there.

Given under my hand, on board Her Majesty's sloop "Modeste," at sea, this 5th of April, 1845.

(Signed) THOMAS BAILLIE, *Commander.*

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Inclosure 10 in No. 16.

*Mr. Dempsey to Commander Baillie.*

Sir, *San José, March* 13, 1845.

BY the advice of the attorney who is employed to defend the law-suit now pending respecting the brigantine "Hibernia," I beg leave to state that he considers it of the greatest importance towards the attainment of a favourable issue, that Her Majesty's sloop under your command should remain in the port until a sentence is pronounced by the Court of Appeal, before which the cause now lays. In consequence of which I beg leave to lay before you the above-mentioned opinion, and respectfully to solicit your favourable attention thereto, and have, &c.

(Signed) HENRY H. DEMPSEY.

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Inclosure 11 in No. 16.

*Commander Baillie to the Sub-Prefect of Lambayeque.*

Sir, *"Modeste," Lambayeque, March* 18, 1845.

SIX days having elapsed since I had the honour of communicating with you regarding the detention of the brigantine "Hibernia," since which time I have not received the information I was led to expect from you as to the probable period of the termination of the proceedings against that vessel, I have again to urge upon you the necessity of steps being taken to prove her culpability or otherwise, and in the event of her further detention, I request that she may be removed to Callao or some other safe anchorage; in which latter case I have to inform you that the British Government will hold the authorities in charge of the vessel responsible for any embezzlement of her stores.

Requesting the favour of an early reply,

I have, &c.

(Signed) THOMAS BAILLIE.

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Inclosure 12 in No. 16.

*The Sub-Prefect of Lambayeque to Commander Baillie.*

*Lambayeque, March* 19, 1845.

To the Commander of the British ship-of-war "Modeste."

I REPLY to your esteemed note of yesterday's date, informing you that according to the inquiries made by me relative to the sequestration of the brig "Hibernia," it appears that the defender of her, Captain George Kenney, has has caused the delay of the suit; the transfer of which vessel to Callao or other secure harbour, which you solicit, is forbidden to me to consent to, it not being in my power to do so without the said measure causing the detriment which the

stores of the aforesaid vessel may suffer; because these may be demanded in conformity with the laws of the State, which you ought to consult, and I cause to be fulfilled within the sphere which they assign to me.

Accept, &c.

(Signed) JUAN DE DIOS DIAZ.

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Inclosure 13 in No. 16.

*Mr. Dempsey to Commander Baillie.*

Sir, *San José, March* 27, 1845.

HAVING been informed that the English brigantine "Hibernia" has this day been acquitted by the Court of Appeal in Lambayeque, and that the Government Prosecutor has appealed to the second Court of Appeal in Truxillo, I beg to inform you of the same, and respectfully solicit your attention thereto, and have, &c.

(Signed) HENRY D. DEMPSEY

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Inclosure 14 in No. 16.

*Extract from the Log of the "Hibernia."*

| | | | |
|---|---|---|---|
| November | 14, | 1844. | Sailed from Callao. |
| „ | 19, | „ | Took a pilot; anchored in 18 fathoms; Islands of Lobos; daylight; out long-boat and commenced diving. |
| December | 4, | „ | Found a keg of green paint and a barrel of molasses. |
| „ | 7, | „ | Got up a cask of molasses. |
| „ | 24, | „ | Found two bales of leather and a bale of hats. |
| „ | 27, | „ | Found some spare sails lying rotten at the bottom. |
| January | 2, | „ | Found the rudder. |
| „ | 6, | „ | Sailed from the Island of Lobos. |
| „ | 7, | „ | A.M.; high land of Lambayeque; bore north-east twenty miles; 2 P.M., went on board the brig "Isabella;" 3, about ship, and stood across for the islands; 5, got the long-boat out. Mr. Dempsey, the mate, and two men back to Lambayeque. |
| „ | 8, | „ | Come to an anchor. |
| „ | 10, | „ | Long-boat not returned by 8 P.M. |
| „ | 11, | „ | 1 P.M., long-boat returned. |
| „ | 12, | „ | Sailed. |
| „ | 13, | „ | Hove-to off Lambayeque. Mr. Dempsey went on shore. 8 P.M., calm; dropped anchor under fort. |
| „ | 16, | „ | Mr. Dempsey came on board; stood across to the Lobos Islands. |
| „ | 17, | „ | Anchored. |
| „ | 18, | „ | Commenced using the diving-bell. |
| „ | 20, | „ | Found a small boat's anchor, several blocks, copper bolts, &c. |
| „ | 22, | „ | Got two anchors without stocks. |

N.B.—23rd. Commences in the same handwriting until noon, when the following appears in a different hand.

I have given this book to the captain of the port, which is the log-book of the said brigantine "Hibernia," kept by Captain George Kenney, and the said captain of this port has received off this port, Lambayeque, January 26, 1845.

(Signed) JOHN LEGG,
*Mate of the said vessel.*

He recibida el mencionado libro fecha el supra.

(Signed) FRANCISCO ROMANO.
MARIANO SANCHEO, *Acto.*

The book commences at Panamá, July 3, 1844.

Inclosure 15 in No. 16.

*Sentencia de 3a Instancia.*

Trujillo, 9 *Junio de* 1845. Vestos, con lo expuesto por el Señor Fiscal, considerando, primero: aunque se ha probado, que el bergantin Ingles "Hibernia" fondeo en la Isla alto de Lobos, contraveniendo á lo dispuesto en el Articulo 6 del Supremo Decreto de 12 de Mayo, 1842, su capitan, Don Jorge Kenney, ignoro el contenido de este Articulo por descuido del teniente del resguardo del Callao, Don Miguel Urbina, que no entregó al capitan el reglamento que se da á todo buque estranjero como se ve en el informe de fojas 135 producido por el comandante de aquel resguardo, Don Augustin Nestares. Segundo, que el Gobierno al imponer la prohibicion de que fondearan los buques en la empresada isla, dicto que se pusierse en noticia de los capitanes de las embarcaciones para lo que mandó adiciones el citado decreto al Reglamento de Comercio, ciudando de esta suerte que los estranjeros fueran informados de la restriccion á que los sujetaba. Tercero, que aun cuando Don Jorge Kenney alejó en su estrito de fojas, que no se le habia instruido en el citado Articulo del Decreto de 12 de Marzo, 1842, ho llego á comprobalo hasta esta tercera instancia en que ha presentado en informe de la comandancia del resguardo del Callao corriente á fojas 135 la que aine en la segunda apelacion es admisible segun el tenor de la ley trienta y cuatro, titulo diez y seis, partida tercera. Cuatro, que el capitan del puerto de San José, Don Francisco Romano, al denunciar que el bergantin "Hibernia" fondéo en la Isla alto de Lobos, como se ha hecho constar por la informacion de siete testigos hábiles é idoneos, ha desempañado los deberes á que lo obligaba su destino. Quinto, que la infraccion en que incurrio el Capitan Kenney en anclas el expresado buque en la Isla de Lobos, ha provenido del defecto que se nota en el teniente de resguardo del Callao, Don Miguel Urbina, que no cumplio con las disposiciones del Articulo 8, sesios primera del Reglamento de Comercio. Por estos fundamentos, revocaron la sentencia de Primera Instancia, de fojas sesenta y una vuelta su fecha 7 de Marzo ultimo; confirmaron la pronunciada en viente y seis del propio Marzo corriente, á fojas ciento tres en la parte que absuelve al Capitan Don Jorge Kenney; y mandaron se le entrege el bergantin "Hibernia" con sus utiles, y la revocaron en la que deja á salvo el derecho de este para repetir por los perjuicios. Llegarse saber y dese cuenta al Supremo Gobierno conforme al Articulo 124 del Reglamento de Comercio.—Tres rubricas.

Dieron y pronunciaron la sentencia que antecede los Señores Doctor Don Apolinar Bracamante, Vocal de la Ilustrisima Corte Superior de Justicia, Don Pedro Lacomba, Administrador de este Tesoreria Principal, y Don Juan Manuel Gonzales, Disputado de Comercio, Presidente y Vocales del Tribunal de Segunda Apelacion de Presas y Comisos, habiéndose notado y cleido en audiencia pública á presencia de la parte, procurandores y portero, de que certifico.—Manuel Podierna.

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*Decreto Supremo.*

*Lima*, 30 *Junio*, 1845.

Vista al Señor Fiscal de la Corte Supremo. Rio.

Excelentisimo Señor,—El Fiscal dice, que el capitan del bergantin "Hibernia," quebranto los leyes del pais, y porque esta fué sometido a juicio. El Juez de Primera Instancia aplico la pena de comisa al buque que es la que la ley señala á la infraccion. Apelada da causa revoco, el juzgado de apelacion da sentencia y suplicada hube un voto por la confirmacion y dos por la revocacion del ante. Como no hube dos votos conformes, fué declarada la nilidad, y se esparaba que se dirimiese la discordia y se sentencio la causa los juezes variarva su dictamen y salvaron al buque del comiso, y se da parte á vuestra Excelencia para la ejecucion del falla. No se halla este en estado de que se ejecute. No le se ha hecho saber al Fiscal, al menor no consta del testimonio remitido. Puede interponerse recurso de debio hacerse saber tambien. Si estos funcionarios no lo interpusiesen, lo interpondra el que halla. Por todo esto, puede vuestra Excelencia mander se devuelva la nota al Juez de Comiso, para que disponga, haga saber la

sentencia al Fiscal y al aprehensar. No es de presumir que dejen de entablar el recuso de nulidad para ante la Corte Suprema de una sentencia pronunciada contra ley expresa, y de la que tiene noticia el Fiscal, por haber tenido los autos á la vista, y examinadolos. Si esos funcionarios no cumpliesen con su deber, el Tribunal interpondra el recurso á su vez.

*Lima,* 17 *de Julio,* 1845.

(Firmado) MANATEGUI.

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*Resolucion Supremo del Gobierno.*

*Lima,* 4 *de Agosto,* 1845.

Devuelvose al Juzgado de Comisos de Primera Apelacion del Departamento de la Liberdad, para los fines que indica el Ministerio Fiscal, con cuyo dictamen se conforma el Gobierno por hallarlo conforme á la ley, á le que aquel debe sujetarse.

Una rubrica de su Excelencia el Presidente de la Republica. Rio.

(Translation.)

*Sentence of Third Instance.*

Truxillo, *June* 9, 1845.—Examined, together with the opinion of the Fiscal, and considering, first, that although it has been proved that the English brig "Hibernia" anchored at the high Island of Lobos, in contravention of the 6th Article of the Supreme Decree of the 12th of March, 1842, her captain, Mr. George Kenney, was ignorant of such article through the neglect of the lieutenant of the searching office of Callao, Don Miguel Urbina, in not delivering to the captain the regulations presented to every foreign vessel, as is proved at p. 135 on the evidence of the commander of that office, Don Agustin Nestares. Secondly, that the Government, when prohibiting vessels from anchoring at that island, ordered that the captains of all vessels should be made acquainted with it, for which purpose it was added to the Commercial Regulations, thus providing that foreigners should be informed of this restriction. Thirdly, that although Mr. George Kenney stated in his petition, that he had not been informed of the above article of the Decree of the 12th of March, 1842, he failed to prove the fact until this trial of third instance, when he has presented the declaration of the Commander at Callao, as at p. 135, which would have been admissible even in the second instance, by law 34, cap. 16, sect. 3. Fourthly, that the captain of the port of San José, Don Francisco Romano, when he notified that the brig "Hibernia" had anchored at the high Island of Lobos, as is proved by the evidence of seven fair and proper witnesses, has fulfilled the duties of his office. Fifthly, that the infraction of the law committed by Captain Kenney in anchoring the above vessel at the Island of Lobos, has proceeded from the neglect of the Lieutenant at Callao, Don Miguel Urbina, in not fulfilling the instructions of Article 8, Section 1, of the Commercial Regulations. For these reasons they revoked the sentence of First Instance, at page 61, dated the 7th of March last; confirmed that pronounced on the 26th of March, at page 103, as regards the part which acquits Captain George Kenney, and ordered that the brig "Hibernia" should be delivered over to him, with everything belonging to her, and revoked it as regards the part which permits him to claim for damages.

Let this be reported to the Supreme Government, according to Article 124 of the Commercial Code.—Three signatures.

The above sentence was given and pronounced by Dr. Don Apolinar Bracamante, Judge of the most illustrious Supreme Court of Justice; Dr. Don Pedro Lacomba, Administrador of this Principal Treasury; and Don Juan Manuel Gonzalez, Deputy of Commerce; President and Judges of the Tribunal of Second Appeal of Prizes and Captures; it having been voted and read in public in the presence of the procurators and the porter; to which I certify.

MANUEL PODIERNA.

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*Supreme Decree.*

*Opinion of the Fiscal (Attorney-General.)*

*Lima, June* 30, 1845.

To the Fiscal of the Supreme Court, Rio.

Your Excellency,—The Fiscal says that the captain of the brig "Hibernia" infringed the laws of the country, for which he was put on trial. The Judge of First Instance adjudged the penalty of confiscation to the vessel, being the penalty awarded by law. This being appealed against, the Court of Appeals revoked the sentence, there being one vote for its confirmation and two for its revocation. As there were not two votes exactly alike, it was declared void; it was hoped that the difference would be arranged and the cause was sentenced. The judges altered their sentence and saved the vessel from confiscation, and it is reported to your Excellency for the fulfilment of the decree. This cannot yet be done. The Fiscal has not been informed of it: at any rate, it does not appear in the evidence transmitted. A plea of nullity can be presented either by the Fiscal or by the capturer, who ought also to have been informed of it. If these officers do not present it, the speaker will do so. For all these reasons your Excellency can order the note to be returned to the Judge of Confiscations in order that he may acquaint the Fiscal and the capturer with it. It is not to be supposed that they will omit to present a plea of nullity before the Supreme Court, of a sentence pronounced against an express law, of which the Fiscal was aware, as he had the evidence before him under examination. If those officers do not fulfil their duty, the tribunal will present itself at the proper time.

*Lima, July* 17, 1845. (Signed) MANATEGUI.

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*Resolution of the Supreme Government.*

*Lima, August* 4, 1845.

Let this be returned to the Judge of Confiscations of the First Instance of the Department of Liberdad, for the purposes explained by the Fiscal, with whose opinion the Government coincides, as it is in conformity with the law to which that office is subject. Rubric of his Excellency the President of the Republic. Rio.

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Inclosure 16 in No. 16.

*Vice-Consul Barton to Mr. Adams.*

Sir, *Callao, November* 15, 1845.

IN reply to your despatch of yesterday's date, I have the honour to inform you that the British brigantine "Hibernia" has been sold, according to a letter addressed to me by Mr. Henry D. Dempsey (son of the owner) on the 29th of September last.

On the 10th instant I transmitted her register to the collector of Her Majesty's customs at the Port of Liverpool, by the barque "Wilhelmina," which vessel sailed from hence on the 12th instant.

The master and all the crew were paid off, according to documents in the archives of this Consulate, including Adam Crosbie, the carpenter, who is now out of prison, under the bail of Mr. John Coombes, a resident in this port.

I have, &c.

(Signed) JOHN BARTON.

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No. 17.

*Mr. Adams to the Earl of Aberdeen.—(Received April* 11.)

My Lord, *Lima, January* 31, 1846.

WITH reference to your Lordship's despatch of the 31st of October last, I I have already had the honour, in my despatch of December 3 of last year, to

report fully on the subject of the British vessel "Hibernia;" and no fresh facts have since come to my knowledge which could justify my putting forward a claim for compensation for her detention, without receiving your Lordship's special directions to that effect.

I have, &c.
(Signed) WM. PITT ADAMS.

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No. 18.

*Mr. Addington to Mr. Robert Falk.*

Sir, *Foreign Office, June* 27, 1846.

WITH reference to your letters dated the 22nd of July and 6th of October, 1845, requesting the interference of Her Majesty's Government to obtain from the Government of Peru, compensation for the seizure and detention, at the Port of Lambayeque, of the brigantine "Hibernia," I am directed by the Earl of Aberdeen to state to you, that after a due consideration of the report from Her Majesty's Chargé d'Affaires in Lima, Lord Aberdeen is of opinion that Her Majesty's Government would not be justified in supporting your claim for damages against the Peruvian Government.

The case was carefully watched by Her Majesty's Chargé d'Affaires and by the Admiral commanding Her Majesty's Naval Forces in the Pacific.

The "Hibernia" sailed from Callao on the 14th of November, 1844, with a regular clearance for the Port of Lambayeque, but instead of going direct to that port, she went to the Lobos Islands in search of treasure from a wreck, without having obtained the permission, either of the custom-house or of the owners of the treasure; such proceeding being contrary to law. She remained at those islands from the 19th of November, 1844, till the 10th of January, 1845, when she went to Lambayeque; but in order to prevent the transaction from being known, the date of the sailing-licence from Callao was fraudulently altered. She then obtained a licence to go to the Lobos. This second voyage is correctly described in your letter to Lord Aberdeen of the 22nd of July, as being undertaking with a proper licence, and in the presence of a custom-house officer and one of the owners of the lost treasure.

On the second arrival of the "Hibernia" at Lambayeque, her first voyage had became officially known, as well as the alteration of the Callao clearance; the vessel was therefore seized by the authorities, and Mr. Dempsey, the supercargo, detained on shore.

Your letter states correctly that the sails were taken on shore, but you omit to add that this was done in consequence of an attempt of the master to get the vessel under weigh, and escape, the proof of which is shown in the depositions of two seamen, taken before Mr. Vice-Consul Barton. The leak in the vessel was also first discovered immediately after a visit to her by the master, supercargo, and carpenter, and upon pumping her out, two auger-holes were found in her bottom, upon which the carpenter was sent a prisoner to Callao, to take his trial on a charge of scuttling the vessel. In this state she was saved from sinking by the assistance of the United States' schooner of war "Shark."

Sir George Seymour dispatched Her Majesty's ship "Modeste" to Lambayeque, to inquire into the matter and to afford every protection possible to British persons and property.

The "Hibernia" was condemned in the Court of First Instance, she was acquitted on the first appeal, and finally absolved by a superior court, thereby manifesting an evident anxiety to find grounds of acquittal. Mr. Dempsey then applied to Her Majesty's Chargé d'Affaires for advice, whether he should abandon the vessel, and bring a claim against the Peruvian Government for damages for detention. But he was told that unless he could satisfactorily clear up the accusations which were made against him: that he undertook the first voyage contrary to law; that he falsified the date of the sailing-licence from Callao; that he attempted to resist the seizure of the vessel; and that the carpenter had attempted to scuttle the vessel, while he and the master were on

board,—these facts appeared to involve so much grave suspicion, that Her Majesty's Chargé d'Affaires did not feel himself authorized to support a claim for damages for detention on trial. Mr. Dempsey made no attempt to clear his conduct from these charges, but brought his vessel to Callao and there sold her.

The forms of law may have produced some unnecessary, though not unusual, delay, in bringing this case to a conclusion; but neither in form nor in substance has there been sufficient cause for a remonstrance to the Peruvian Government.

Her Majesty's Government would not therefore be justified in supporting the claim of the owners of the "Hibernia" for damages against the Peruvian Government.

I am, &c.
(Signed) H. U. ADDINGTON.

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No. 19.

*Mr. Wentworth Buller to Viscount Palmerston.—(Received April 19.)*

My Lord, *Tithe Office, April 18, 1851.*

I HAVE reason to believe that very large and valuable deposits of guano exist upon two desert islands in the South Pacific. The islands in question are Lobos Afuera, in latitude 6° 59′ south, longitude 80° 42′ west; and Lobos de Tierra, in latitude 6° 34′ south, longitude 80° 45′ west. The former of these islands is about 50 miles from the coast of Peru, and the latter about 21. Both are described as destitute of fresh water and without inhabitants. They have been hitherto the constant resort of sealers and whalers of various nations, as well as of Indians who visit them at certain seasons, for the purpose of obtaining the eggs of aquatic birds.

The marketable value of guano being now so well known, and the attention of the Peruvian Government having been for some years actively directed to the subject, it is possible that they may have discovered this guano, and taken possession of these islands within the last few months, but to the best of my knowledge and belief, these deposits are still unknown, and the islands still unoccupied.

Under these circumstances I venture to ask your Lordship's opinion whether, assuming these islands to be still unoccupied, the deposit of guano upon them is not, according to the law of nations, the common property of all mankind?

Taking into consideration the extreme importance of additional and cheaper supplies of guano to the agriculturists of England at the present moment, I venture further to request that your Lordship will cause instructions to be issued to the Admiral in the Pacific to send a ship of war to the Islands of Lobos Afuera and Lobos de Tierra for the purpose of ascertaining whether the said islands are or are not occupied by the Peruvian Government; and in case either of the said islands should not be occupied, then for the purpose of protecting British merchant-ships loading guano at such islands.

It is well known that the South American Republics claim all the dominions that Spain ever claimed in these seas, and I believe the Spanish claims are founded on a bull of Pope Alexander VI, which gave to Ferdinand and Elizabeth and their successors, "omnes insulas et terras firmas, inventas et inveniendas, detectas et detegendas, versus occidentem et meridiem."

Your Lordship is the best judge whether England has ever admitted these claims, or whether they have ever been admitted by other nations. I write under the impression that they have never been admitted, either in theory or practice, and that the right is expressly denied by all the best writers on International Law.

The evidence which I have obtained as to the existence and extent of the deposits on these islands is taken from the voyage of an American sealer, printed and published at New York in 1832. The Islands of

Lobos were visited in 1823, and the following is an extract from the description of them:—

"The Indians sometimes visit these islands in large parties, and frequently stay three or four weeks. They always bring their fresh water with them in their catamarans, as *there is none to be found on these islands*, which are covered with sand, rock, and the *dung of aquatic birds*, the *latter* sufficient to *load thousands of ships*, having been accumulating for untold ages. It is called *guannar* by the Spaniards, and is probably the richest manure in the world."

It must be recollected that at the period when the above was written guano was not known to the world as an article of commerce, nor was the extraordinary extent of the deposits known to naturalists or historians. Under such circumstances the statement bears upon the face of it the marks of truth and originality; and I submit that the evidence is conclusive, both as to the existence and the extent of the deposit. The situation also of these islands is peculiarly favourable. Moreover, I can myself bear witness to the remarkable accuracy and truthfulness of the author in similar remarks and details given in different parts of the same work.

I venture to press this matter on your Lordship's attention with the greater earnestness, because I have myself no particular or exclusive interest in it. If, as an agriculturist, I submit to all the disadvantages of Free Trade, it is but just and reasonable that I should expect a share in its advantages, the greatest of which would be the obtaining this most valuable manure at a moderate price; but I claim nothing exclusive; on the contrary, that which I ask I ask on the broadest principle of Free Trade.

Time immemorial these islands have been free to the ships of every nation. They have been constantly visited for shelter, for fishing, for sealing, and for the eggs of aquatic birds. The right of taking these things is proved and tacitly admitted by long usage; and can it be pretended that any nation has a right to the eggs and not to the dung of the same birds? I claim, then, these islands to be free, not to the British farmer or the British merchant alone, but to all mankind.

I feel much indebted to your Lordship for the attention which you have already bestowed, and the information which you have so kindly supplied; and I submit my petition with the fullest confidence to your impartial judgment and consideration.

I have, &c.

(Signed) T. W. BULLER.

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No. 20.

*Lord Stanley of Alderley to Mr. Wentworth Buller.*

Sir, *Foreign Office, May* 10, 1851.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 18th ultimo, stating that you have reason to believe that considerable quantities of guano may be obtained from the uninhabited Islands of Lobos Afuera and Lobos de Tierra, situated the one about fifty miles and the other about twenty-one miles from the coast of Peru, and requesting to be informed how far in the opinion of Her Majesty's Government, Great Britain would be borne out in claiming, in common with the other nations of the world, the right to appropriate for agricultural purposes the guano to be found on those islands.

I am to state to you in reply, that Lord Palmerston cannot take upon himself to say whether the Islands of Lobos Afuera and Lobos de Tierra belong of right to Peru, or are claimed by Peru as dependencies. His Lordship does not find in the Peruvian Constitutions published after Peru had separated itself from Spain, any mention of those islands as being dependencies of Peru; but it appears to Lord Palmerston that their proximity to Peru would give to that State a *primâ facie* claim to them.

But be this as it may, Lord Palmerston fears that there is no ground upon which the British Government would be justified in claiming for British subjects the right to appropriate at their pleasure the guano to be found on those islands.

I am, &c.
(Signed) STANLEY OF ALDERLEY.

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No. 21.

*Mr. Wentworth Buller to the Earl of Malmesbury.*—(*Received March* 26.)

My Lord, *Tithe Office, March* 24, 1852.

IN compliance with your Lordship's desire I have the honour to inclose a statement relative to the Islands of Lobos de Tierra and Lobos Afuera, for the opinion of the Law Officers of the Crown; I inclose also a copy of a case already submitted to Mr. Wingrove Cooke, together with his opinion; and as he is in possession of all the facts and evidence relative to these islands, and has already turned his attention to the subject, I venture to request that he may be admitted to a conference with the Law Officers on the point.

I have, &c.
(Signed) T. WENTWORTH BULLER.

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Inclosure 1 in No. 21.

*Case for opinion of the Law Officers.*

VERY large deposits of guano have been discovered upon two uninhabited islands, situated, the one about 50 miles, and the other about 21 miles, from the coast of Peru.

The islands in question are minutely described in an old book of voyages, which will be submitted together with the other evidence in this case.

The description in this book is fully confirmed by a letter from the captain of a ship which at Captain Buller's request has lately visited the islands.

The evidence which is submitted and upon which the British Government are urged to take possession of these islands, is:

1st. That these islands are not claimed as dependencies of Peru in the Peruvian Constitutions published after Peru had separated from Spain.

2nd. That they are remote from the coast of Peru, the nearest part of which is itself a desert.

3rd. That the islands are without fresh water, and without any buildings upon them; and are not in the occupation of any sovereign State.

4th. That no act of sovereignty has been exercised over these islands by any sovereign State.

5th. That they have been indiscriminately visited by the ships of all nations, as well as by Indians in their catamarans.

6th. That the occasional visits by Indians or other erratic tribes is distinctly laid down by Vattel, b. 1, chapter 18, not to be a legal occupation.

Your opinion is requested whether these islands are not still *juris gentium*, and whether they may not by occupancy become the property of any sovereign State?

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## Inclosure 2 in No. 21.

*Case as to the Guano Islands. Opinion of Mr. Wingrove Cooke.*

THE Foreign Office is, I believe, in possession of all the learning relative to the occupation of new or unappropriated islands. Some time since, much negotiation occurred upon the subject of a volcanic island which arose in the Mediterranean; and during that negotiation all the points involved in the present case must have been considered. I have been unable to find these papers; and as the island subsided while the negotiations pended, they would perhaps contain no more than a reference to the authorities. I have therefore looked into the books, and brought together such texts as appear to me to bear upon the case.

These two islands are in the Great Ocean; they are distant twenty miles and upwards from the territory of any sovereign State. No public act of dominion has ever been done upon them; they are without any permanent inhabitant; and they are visited indiscriminately by the ships of all nations. The question is, Do they, *primâ facie*, belong to any sovereign State, or can they be made the property of a first occupier, or can they be retained as *juris gentium* against any particular occupancy?

For the principles of international law, we must always ascend to the books of the civil law. It is laid down in the Institutes (*Do rerum divisione*, § *Insula* 22), that an island thrown up in the sea is the property of the first occupant: "Insula quæ in mari nata est occupantis sit nullius enim creditur."

It may be gathered, however, from the principles laid down in the Pandects, as to the property of islands made by rivers in their course, that if the sea wherein the island arises should be the property of any sovereign State, the island would become the property of the State which owns the sea.

But can the sea become the property of any State? I believe all writers are agreed that it cannot. Puffendorf, liv. 4, ch. 5, in discussing "choses qui peuvent entrer en propriété," while he allows that nations have a right to gulfs and straits upon which their territories lie, denies that the Ocean is susceptible of becoming proper to any people; and Vattel, *De la Mer*, liv. 1, ch. 23, § 291, in illustration of his position that dominion and property are not inseparable in their nature, remarks that the English have never claimed the *property* of the seas, although they have claimed the *empire*.

These islands, therefore, are not the property of any sovereign State. Are they within the dominion or jurisdiction of any sovereign State? If this question were answered in the affirmative, it would not, I conceive, determine that the property of the islands must follow the dominion of the sea in which they are found; but the authorities answer it in the negative.

Upon the subject of maritime jurisdiction, the civil law is almost silent; and the writers upon international law are therefore without their usual source of inspiration.

Some of the elder of these had rather wild notions of the distance of maritime jurisdiction. Baldus speaks of it as extending to sixty miles' distance from the coast, citing, however, a passage in the code which by no means bears him out in his position. Bodin (*De Repub.* ci. ch. 10) extends the distance to thirty leagues, and cites a decision of a Parliament of France in the case of a Duke of Brittany, wherein it was so held. Solorzan (t. 1, liv. 2, ch. 6, n. 22) extends it to a hundred miles. Loccenius thinks that two days' voyage should be the measure.

These writers being without any authority to follow, seem to have followed their own fancies; and, agreeing upon no principle, mutually destroy each other's credit.

All the great expositors of international law are now, however, agreed that the principle which governs maritime dominion is that each sovereign State has dominion over the seas that wash its coasts so far as that State can make its power felt from the land. It is in Bynkershoek (*De Dominio Maris*, cap. 2, § 5) that we first find laid down the position erroneously attributed by Azuni (in his *Droit Maritime de l'Europe*) to Vattel, that

maritime dominion extends to a cannon-shot from the shore. Bynkershoek says, "Quare omnino videtur rectius eo potestatem terræ extendi, quo usque tormenta exploduntur, catenus quippe cum imperare tum possidere videmur." Valin, in his Commentary, *sur l'Ordonnance de la Marine de France de* 1681" (liv. 5, tit. 1), cites the *Journal of Commerce* of May 1759, for the same doctrine, and states it to be now generally established by the general consent of all nations; and Vattel, although he does not state the same proposition in terms, implies it when he expressly excludes all large bays and straits, such as Hudson's Bay or the Straits of Magellan, from the rule that Sovereign States have dominion over the bays and straits within their own territory; and confines the rule to those which are capable of having their entrances defended from the coast; "une baye dont on peut défendre l'entrée."—Vattel, *De la Mer*, liv. 1, c. 23, § 291.

These authorities seem conclusive to show that by the common law of nations these guano islands are not either the property or within the dominion of any neighbouring State. If there should be any treaty bearing upon this subject, I have not been able to find it; and presume, therefore, the common law of nations is alone applicable.

These islands are therefore now *juris gentium*, unless they have become property by occupancy.

Grotius, liv. 2, ch. 8, § 9, 2, says, "Il a toujours passé pour constant, que les îles, véritablement telles, sont du domaine public;" and the same doctrine has been already quoted from the Institutes of Justinian.

Upon acquiring property in such things, Voet, in his Commentary on the Pandects, says (liv. 1, § 1, ff. *De acquiri. possess.*), "Unde et res tales in acquisitione dominii junguntur rebus illis quæ terra mari cœloque capiuntur, ac circa quas per naturalem possessionem dominium iis acquiritur, qui primi possessionem apprehenderint, sic ut non intellegantur hactenus à quoquam fuisse possessæ;" and Voet describes occupation to be "justa apprehensio rerum corporalium, jure gentium communium animo domini facta, per quam id quod nullius est, naturali ratione, primo occupanti conceditur."

That it appears that an intention of appropriation, as well as an actual taking possession, is necessary to render the occupancy valid; and it is well-known law, that in the case of territory the occupancy can only be by or on behalf of some sovereign State.

Now it cannot be contended that the mere visit of passing ships, or the landing of sealers in search of seals, can be such an occupation as is above described.

I am of opinion, therefore, upon the facts stated, that these islands are still *juris gentium*, and that they may by occupancy become the property of any sovereign State.

I have, &c.

(Signed) GEO. WINGROVE COOKE.

2, *Brick Court, Temple, July* 8, 1851.

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No. 22.

*Mr. Addington to Mr. Wentworth Buller.*

Sir, *Foreign Office, April* 20, 1852.

I AM directed by the Earl of Malmesbury to acknowledge the receipt of your letter of the 24th ultimo, submitting certain points on which you are anxious to obtain information with regard to the Islands of Lobos de Tierra and Lobos Afuera, in the Pacific Ocean; and I am to acquaint you in reply, that Lord Malmesbury regrets that he can give you no further opinion upon this subject than that which was conveyed to you in the letter which Lord Stanley of Alderley addressed to you, by Viscount Palmerston's direction, on the 10th of May last, and in which Lord Malmesbury entirely concurs.

I am, &c.

(Signed) H. U. ADDINGTON.

No. 23.

*Messrs. Kirk & Furniss to the Earl of Malmesbury.—(Received April 21.)*

My Lord, *Liverpool, April* 20, 1852.

WE beg your Lordship to excuse our trespassing upon your valuable time, and in troubling your Lordship with the following letter, we beg to say we should not have presumed to do so if we could, from any indirect source, have obtained satisfactory information for our guidance.

There appeared in the "Times" newspaper of the 17th instant*, a

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* *Extract from the "Times" of April* 17, 1852.

To the Editor of the "Times."

Sir,—There have been various vague accounts lately in the public papers relative to the discovery of guano upon some island in the Pacific. Allow me, through the medium of your columns, to put the public in possession of the facts relative to this discovery.

The islands in question are Lobos Afuera, lat. 6° 59′ S., long. 80° 42′ W., and Lobos de Tierra, lat. 6° 34′ S., long. 80° 45′ W.; the first about fifty miles, and the second about twenty miles, from the coast of Peru.

In "Morrell's Four Voyages," a book published at New York in 1832, is a minute account of these islands, and among other particulars the following remarkable passage—"The Indians sometimes visit these islands in large parties on fishing excursions or frolics; and frequently stay three or four weeks. I have always found them to be very civil and accommodating, having frequently received kind offices at their hands, such as presents of fruit, vegetables, &c., from the main. They always bring their fresh water with them in their catamarans, as there is none to be found in the islands, which are covered with sand, rock, and the dung of aquatic birds, the latter sufficient to load thousands of ships, having been accumulating for untold ages. It is called 'guannar' by the Spaniards, and is probably the richest manure in the world."

Captain Morrell visited these islands in September 1823, long before guano was known as an article of commerce, and long before a single ton had been imported into Europe. It appeared to me, therefore, that this passage bore upon the face of it the character of truth, and knowing the value of such a discovery to the shipowners and agriculturists of this country, I at once applied to the Government to take possession of the islands, and under the protection of the British flag, make the export of guano free to the ships of all nations.

By inquiry at the Foreign Office, I ascertained that these islands were not enumerated among the dependencies of Peru, at the time when Peru declared its independence and defined the extent of its territories. They are desert islands, without wood, without water, without habitation. No sovereign State has ever exercised dominion over them. During the whole of the war between Spain and England they had been freely visited by whalers and sealers and ships of all nations, as well as by Indians in their catamarans. I found it distinctly stated in Vattel, b. i., chap. 8, that "all mankind have an equal right to things which have not yet fallen into the possession of any one; and those things belong to the person who first takes possession of them. When, therefore, a nation finds a country uninhabited and without an owner, it may lawfully take possession of it, and after it has sufficiently made known its will in this respect, it cannot be deprived of it by another nation. Thus navigators going on voyages of discovery, furnished with a commission from their Sovereign, and meeting with islands or other lands in a desert state, have taken possession of them in the name of their nation; and this title has been usually respected, provided it was soon after followed by a real possession."

All the best writers on international law supported the same doctrine. I took the opinion of a barrister, in whose judgment I placed the highest confidence, and was assured that the Peruvian Government, not having occupied those islands, could have no legal claim to them.

Under these circumstances I urged upon the Government the immense importance of guano as a manure, the injury sustained by the monopoly of the Peruvian Government, and the claims of the British agriculturists and shipowners to some of the advantages of free trade. But whatever advantage new possessions may bring to agriculturists or shipowners, it seems to have been discovered that they bring nothing but trouble to the Foreign Office, and when the present extent of our empire in different parts of the world is considered, perhaps the disinclination to make even the smallest addition can scarcely be condemned. Suffice it to say, that I did not succeed.

Finding it impossible to prevail upon the Government at once to take possession of the islands, I determined to try what private enterprise might effect. By inquiry in the

letter signed T. Wentworth Buller; and if the facts be as therein stated, the information is of great value to the agriculturists of this country as well as to the shipowners.

The letter in question refers to certain guano islands termed Lobos Afuera, latitude 6° 59′ south, longitude 80° 42′ west, and Lobos de Tierra, latitude 6° 34′ south, longitude 80° 45′ west.

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city, I discovered a shipowner who had form any years commanded a trading vessel in the Pacific. Captain E. Lawson had himself frequently visited the islands, and although he had taken no notice of the nature or extent of the guano-deposit, he could speak confidently of the goodness of the harbour, the multitudes of sea-fowl, and the rainless character of the climate. In every respect, except the extent of the guano-deposit, he confirmed the account given by Morrell. Captain Lawson had a vessel on the point of sailing for San Francisco, and promised that he should touch at Lobos in her way. On the 14th of December, 1851, Captain Dixon, of the ship "Bombay," wrote from San Francisco in the following terms:—"Went to Lobos. The very thing that I have said to you years before this. I think I could load a thousand ships as well as one. Good anchorage. I think at one place I could load with a spout into the ship." At the same time he forwarded a sample of the guano taken from the island.

With this additional evidence I again appealed to the Government, and succeeded in obtaining an assurance that a ship of war should visit the islands. On the change of Ministry I had an interview with Lord Malmesbury, from which I hoped a favourable result, the matter being still under his Lordship's consideration.

In the meantime, it appears that at the instance of Captain Lawson several ships have already sailed for these islands, and also that the Peruvian Minister is acquainted with the fact. The matter, therefore, can no longer remain a secret, and I take this opportunity of laying the whole question before the public, in the full confidence that the agriculturists and shipowners of this country will not suffer such an opportunity to be lost. I fearlessly assert, that according to the Law of Nations, the Peruvian Government can have no claim to these islands. On the other hand, the monopoly of guano now maintained by the Peruvian Government is injurious to the whole civilized world, but especially injurious to the British farmer and British shipowner. They must see that all idea of protection is abandoned. They must feel, that whoever may be Minister, they are equally doomed to suffer all the disadvantages of free trade. It will be their own fault if they do not obtain some of the advantages.

It is commonly supposed that the deposit of guano on the Chincha Islands is sufficient to keep up the supply at the present rate, for 100 years, and, as the whole cost of guano is the expense of freight and loading, there can be no question that, but for the monopoly of the Peruvian Government, it would now be sold in this country at less than 5*l.* a-ton, whereas the present price is 10*l.* Now, I have myself used about 400 tons of guano as manure, and I speak from experience when I say that such are its extraordinary powers, and such the advantages of its light carriage, that with guano at 5*l.* per ton, there is scarcely any land in England so barren that it might not be cultivated with advantage. As a practical farmer I say, that if I had the option between a 5*s.* duty on corn, and free trade in guano, I would not hesitate a moment in preferring the free trade in guano. I believe the deposit upon the Lobos Islands to be even larger than the deposit on the Chincha. The islands themselves are many times more extensive, and from the description of the deposit and the swarms of birds, they would also appear to be more extensive.

The price of freight from Chincha to this country has lately been quoted as low as 30*s.* per ton. The multitudes of ships from San Francisco can literally get no freights. Guano is an article (perhaps the only one which can be mentioned) in which the whole cost is the freight and loading—an article of almost boundless consumption—an article in which free trade would be of more importance to shipowners than any other that can be named.

The question is, whether they and the agriculturists are content to suffer all the disadvantages of free trade without partaking in its advantages? If not, let them bestir themselves, and who can refuse such a boon? What is it that is required? Not a costly possession; not an expensive colony? No; all that can be needed is a single sloop of war which shall hoist the British flag, and under the protection of that flag permit the ships of every nation to load guano without disturbance. I repeat, this is a desert island —not a tree, not a house, not a drop of water upon it; a harbour in which hundreds of ships may ride in perfect safety; but hitherto useless, or visited only by sealers for its seals, or whalers for the eggs of aquatic birds. No nation has ever hoisted its flag upon it, and it remains unappropriated, the common property of all mankind.

If the claim of the Peruvian Government to these islands be admitted, it will be solely attributable to the apathy of the agriculturists and shipowners of this country.

I cannot close this letter without expressing the admiration which I feel for that intelligent American seaman to whom we are indebted not only for the discovery of the guano on these islands, but for the discovery of the deposit on the Island of Ichaboe.

Benjamin Morrell was the captain of an American sealer, in which character he made four voyages, exploring all the desert coasts and islands in different quarters of the globe. To undaunted energy in his profession he added a spirit of inquiry which is but rarely

We are dispatching to the west coast of South America within the next ten days three ships of large size, say about 1000 tons each, and we are anxious to give the masters instructions to search for cargoes of guano on some of those islands.

The questions, however, upon which we have some doubts, and upon which we wish to be satisfied, are, do the islands in question belong to the Peruvian Government? Or, can we receive an assurance from your Lordship, that British shipowners have the right to take cargoes from those islands without being interfered with by any foreign Power?

The letter of Mr. Buller leads us to suppose that a ship of war would be sent out to those islands (we suppose to afford protection), or at all events that the matter was under the consideration of your Lordship.

In the present depressed state of the shipping interest it would afford some encouragement; to shipowners to be assured of the protection of the British Government; and we need not refer to the benefit the agriculturist will derive by an opening out of this branch of trade as speedily as possible.

We remain, &c.
(Signed) KIRK & FURNISS.

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No. 24.

*Captain Hamond to the Earl of Malmesbury.—(Received April* 22.)

My Lord, *Freshwater, Isle of Wight, April* 20, 1852.

I HAVE to apologise to your Lordsnip for thus intruding upon your valuable time.

My only reason for doing so is a wish to draw your Lordship's attention to a letter which appeared in the "Times" of the 17th instant, signed "T. Wentworth Buller," which has reference to the Islands of Lobos de Tierra and Lobos d'Afuera, on the coast of Peru, situated in latitude respectively of 6° 20′ S., and 6° 55′ S., and longitude 80° 45′ W., and which I am afraid may embroil the captains of our merchant-ships in the Pacific, in, according to my humble opinion, a very unjustifiable act of aggression on the property of a friendly Power, unless a disavowal from Her Majesty's Government should appear in time to counteract it.

Mr. Wentworth Buller's argument in his letter is this: namely, that the said Islands of Lobos (inner) and Lobos (outer) are not the property of the Peruvian Nation; and that because they are uninhabited and covered with guano, that we, and any other nation of the world, have a right to send our ships there, and take in cargoes of the "precious deposit," without asking permission from anybody to do so.

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seen. In the countries which he visited he seems to have considered nothing which could be useful to mankind unworthy of his attention. That he was no common observer is sufficiently attested by the fact that, although from time immemorial whalers and sealers of different nations have visited these islands, and though a British surveying ship, regularly equipped for the service, has examined them, yet it is to Captain Benjamin Morrell that the world is indebted for the information that these islands possess one of the finest harbours in the world, and thousands of vessels may load with guano from its shores.

"Morrell's Four Voyages" may be found on the shelves of the Royal Geographical Society, to which useful institution I am indebted for my acquaintance with the work. At page 119 will be seen a description of Lobos, and at page 294 an accurate description of Ichaboe, with a statement that "the surface of this island is covered with birds' manure to the depth of twenty-five feet." Upon the information given in this book, the first ships sailed from England to load at Ichaboe. The discovery of Ichaboe lowered the price of Peruvian guano from 20*l.* to 10*l.* per ton, and by bringing this valuable manure into general use, conferred a lasting benefit on the civilized world.

I am, &c.
T. WENTWORTH BULLER.

*Whimple, Exeter, April* 14.

It is upon this point that I wish to address your Lordship, and to point out what I foresee will be the inevitable consequences of this line of conduct on the part of the captains of our merchant-ships in carrying out the advice contained in Mr. Wentworth Buller's letter.

In the first place, I would most respectfully remark, as an old cruizer in the Pacific, and well acquainted with the coasts of Peru, having commanded ships there on different occasions for many years, that the undoubted right of the Peruvian Nation to the possession of the Lobos Islands is unquestionable; and I never heard that a doubt was entertained on the subject until I read Mr. Wentworth Buller's letter in the "Times."

The Lobos Inner and Lobos Outer Islands form two distinct groups off the coast of Peru, situated at the distance respectively of 10 miles and 35 miles off shore, instead of 20 miles and 50 miles, as stated in Mr. Wentworth Buller's letter, having a clear passage between them of 25 miles, through which I have passed.

There is good anchorage on both sides of the inner group, and on the northern side of the outer islands; both roadsteads, however, are subject to the long ocean swell, which always sets in along the whole coast of Peru, and at times, during the full and change of the moon, with terrific violence.

The islands are constantly frequented by the inhabitants of the coast and of the town of Lambayeque, which lies opposite to them, in small vessels and catamarans, the latter of a very large size, for the purpose of sealing, fishing, and removing the guano, which the Peruvians have for centuries used as manure, and the value of which they are acquainted with quite as well as ourselves; hence it is not to be supposed that they will view the forcible removal of this "mine of wealth" by the vessels of a friendly nation in any other light than both as illegal and, I may add, piratical.

The sequences of such a line of conduct on our part may lead to similar proceedings on other parts of the coast. Mr. Wentworth Buller, if an old stationer out there, must be fully aware of the existence of several other groups of islands between Lobos and Callao, situated at different degrees of distance from the shore, all, I believe abounding in guano, and, as far as I know to the contrary, uninhabited, except at times, for the same reason as I have before stated with respect to the Lobos Group. The names of the other groups are, the "Malabrigo Islets," the "Guañape Islands," the "Chao Islands," the "Huara Islands," and the "Hormigas," which latter group are quite as far off the coast as the Outer Lobos.

Surely, my Lord, it would hardly be an act of justice on the part of such a powerful nation as our own, to give any countenance to a proceeding that might lead to the most lamentable results?

I will exemplify my meaning to your Lordship by recounting an event that happened whilst I was left as senior officer on the coasts of Peru and Chili during the year 1843.

Whilst lying at Valparaiso in the ship I commanded, I was given to understand that the captain of one of the English merchant-vessels then in the port had given out amongst his countrymen, that he intended to take his vessel down to the Chincha Islands, on the coast of Peru, and take in a cargo of guano there in despite of the Peruvian authorities. In a conversation that I happened to have with this person, a man, by the way, of the most reckless and daring character, I mentioned to him the report that I had heard relative to his intended proceedings, and strongly advised him by no means to make the attempt. Unfortunately he took no notice of my warning, and the following lamentable history was the result.

Having done his utmost to induce other merchant captains then in the port to follow his pernicious example, happily without any success, to the best of my recollection, he sailed for the coast of Peru, and, having armed his crew, moored his ship alongside the islands, and at once commenced his plundering. The Peruvian authorities at Pisco, opposite to the islands (which lie off shore about 10 or 15 miles), took due notice

of the vessel's proceedings, and prepared to counteract them by force. Arming three or four launches with guns and men, they embarked their forces in the middle of the night, and having reached the islands before daylight without the master or crew of the English ship being aware of their approach, they proceeded at once to take possession of the heights, and having waited till the crew had commenced loading the vessel, they advanced to the edge of the cliffs, and making prisoners of the men employed at their work, called upon the captain to surrender his vessel. This the captain refused to do, and a desperate affray ensued, in which he was severely wounded and made prisoner, together with the remainder of the crew, and the ship was taken possession of by the Peruvian officers. The case was tried before the tribunals at Lima, and the ship was condemned as a lawful prize. The captain and crew, after undergoing a short imprisonment, were set at liberty.

The end of this miserable man deserves to be recorded. Having returned to Valparaiso, of course penniless and homeless, accompanied by his son, a youth of fourteen or fifteen, he managed to ingratiate himself with a worthy, honest-hearted Scot, of the name of Mackensie, commander of a fine ship on the point of sailing for England, and telling him an artful tale of his woes and losses, succeeded in inducing him to grant both himself and son a passage (gratis) home. Little did the poor fellow know what a desperate villain he was harbouring. On the passage home this monster in human form, having found out that a considerable freight was on board, decided upon murdering his benefactor and taking possession of the ship. For this purpose he gained over a portion of the crew to assist him in carrying out his wicked design; and in the dead of the night, watching his opportunity, he stabbed the man at the wheel to the heart, and having flung him over the side, he shouted out to the captain, who was asleep in his cabin, to come upon deck, as a man, he said, had fallen overboard. The poor captain, suspecting no evil, jumped upon deck in his shirt, and as he did so, this monster struck him on the head with an axe as he ascended the companion-ladder, and after a death struggle, the captain was overpowered and likewise thrown overboard. The vessel now being in the hands of the mutineers, all those who would not take the oath of secrecy were at once dispatched, and their bodies thrown into the sea. Apparently reckless as to consequences, this depraved villain now assumed the most despotic sway over the rest of his confederates in crime, and ruled them with ungovernable brutality. This was too much to be borne, and the men, having watched their time, seized him when asleep, bound him and his son back and back together, and threw them alive into the sea. The mutineers navigated the ship to the neighbourhood of Halifax, N.S., where they run her ashore, and dispersed themselves over the country. Circumstances most providentially were brought to light which enabled the authorities at Halifax to discover the crime of which these miserable men had been guilty, and I believe they all expiated their guilt upon the gallows.

Such, my Lord, was the fatal result of the misconduct of the captain of an English merchant-ship in attempting to take a cargo of guano from one of the islands off the coast of Peru without permission of the authorities.

Fearful that like consequences might ensue, and that valuable lives may be lost in following the advice contained in Mr. Wentworth Buller's letter, I have considered it my duty as an officer in Her Majesty's Navy, to make your Lordship acquainted with these facts.

I have, &c.

(Signed) ANDW. SNAPE HAMOND,
*Captain, R.N.*

P.S.—The name of the ship that was captured by the Peruvian authorities was the "Vitula;" her captain's name was Fielding. The name of the last-mentioned ship was the "Saladin."

A. S. H.

No. 25.

*Mr. Allan Edward to the Earl of Malmesbury.—(Received April 22.)*

My Lord, *Dundee, April 20, 1852.*

IN consequence of information and encouragement which I received from Captain E. Lawson, I lately fitted out and dispatched some vessels for the Island Lobos Afuera, off the coast of Peru, to load guano for this country. A few days ago I was surprised to hear that the Peruvian Government through their Chargé d'Affaires in London, had laid claim to the island, and threatened to prevent any vessels taking guano therefrom.

Under these circumstances I take the liberty of appealing to your Lordship, and of inquiring if any vessels, in case of their being interfered with by the Peruvian Government, will receive the protection of the Government of this country; and whether any British ships of war have been, or will be dispatched for the safety of British vessels resorting to the aforesaid island?

May I beg the favour of an early answer to this communication, as the nature of that answer will greatly regulate me in the proceedings to be adopted for the security of my vessels.

I have, &c.

(Signed) ALLAN EDWARD.

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No. 26.

*Mr. Lidgett to the Earl of Malmesbury.—(Received April 23.)*

My Lord, 9, *Billiter Street, April 22, 1852.*

IT having been ascertained that fresh deposits of guano have been discovered in the Pacific, the islands being Lobos Afuera and Lobos de Tierra, the former in latitude 6° 59′ south, longitude 80° 42′ west; the latter in latitude 6° 34′ south, longitude 30° 45′ west; and it having been stated that the said islands are the property of no nation or individual in particular, but common to all; I take the liberty of asking your Lordship whether such is the fact, and whether any shipowner sending vessels thither would be right in doing so, and not infringe the laws of any State or people? Can your Lordship inform me whether any of Her Majesty's vessels have proceeded thither to guard the island and protect the British interests, or whether it is the intention of Her Majesty's Government to do so? Having a ship on the western coast of America that has been for some time unemployed, the discovery in question is at present one of great moment to me, as well as to numbers of British shipowners, who are now feeling deeply the late changes made in our commercial policy.

Trusting that this consideration will be sufficient apology for my troubling your Lordship,

I have, &c.

(Signed) JOHN LIDGETT.

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No. 27.

*Mr. Rankin to the Earl of Derby.—(Received April 24.)*

*Shipowners' Association, Liverpool,*
My Lord, *April* 21, 1852.

AS Chairman of the Liverpool Shipowners' Association, I have been requested by that body respectfully to call your Lordship's attention to the recent discovery, in the Pacific Ocean, of two islands called Lobos Afuera and Lobos de Tierra, and upon which islands there are immense deposits of guano.

The Association have been informed that these are desert islands, and have not yet been claimed by any foreign State.

I need not impress upon your Lordship the great value the guano on these islands would be of to this nation, as affording vast employment to our shipping, now so greatly depressed; but also as a certain means of reducing the price of guano, which would be a boon of inestimable value to the agriculturists of this country.

On the 13th instant I addressed a letter to the Lords Commissioners of the Admiralty upon the subject, of which I inclose your Lordship a copy, and also, as it may save your Lordship some trouble, I inclose a copy of the reply.

Since the above correspondence took place, a letter has appeared in the London "Times" of the 17th instant, page 8, signed "T. Wentworth Buller," containing a very particular account of the above islands, of which letter I would solicit your Lordship's perusal.

The Shipowners' Association feel confident that your Lordship will direct every step to be taken, consistent with the Law of Nations, to obtain the benefit of the discovery of those islands for this country, in common with other nations, or if they belong, as has been suggested, to Peru, then that your Lordship will take into your immediate consideration the expediency of endeavouring to negotiate a treaty, under which this country may be enabled to avail itself, on the most favourable terms, of the guano on the islands.

An apology is due to your Lordship for trespassing on your time, now so fully occupied by matters of great national importance, but the Association fear that any delay in the endeavour to secure the advantages of the Lobos Islands to this country, may be most injurious; and they feel assured that your Lordship will consider their anxiety on the subject a sufficient apology for addressing you.

I have, &c.
(Signed) ROBERT RANKIN.

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Inclosure 1 in No. 27.

*Mr. Rankin to the Lords Commissioners of the Admiralty.*

*Shipowners' Association, Liverpool,*
My Lords, *April* 13, 1852.

AS Chairman of the Liverpool Shipowners' Association, I have been requested to inquire from you whether any instructions having for their object the affording protection to British ships loading guano at the recently discovered guano island in the Pacific, have been given to Her Majesty's Naval commanders on the west coast of America; and whether British ships so loading may rely upon the protection of our Government from interference by Peru, or any other Power claiming a territorial right to such island?

I am informed that several members of this Association are engaged in sending out ships to load guano at the above island; and it is of the utmost importance that they should know their position and security as regards such trade.

I have, &c.
(Signed) ROBERT RANKIN.

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Inclosure 2 in No. 27.

*The Secretary to the Admiralty to Mr. Rankin.*

Sir, *Admiralty, April* 14, 1852.

I AM commanded by my Lords Commissioners of the Admiralty to inform you, in reply to your letter, that the Admiral in the Pacific has orders to afford protection to British legal commerce; but no specific directions have been given with regard to vessels loading with guano.

I am, &c.
(Signed) W. A. B. HAMILTON.

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No. 28.

*Mr. Addington to Messrs. Kirk & Furniss.**

Gentlemen, *Foreign Office, April* 26, 1852.

I AM directed by the Earl of Malmesbury to acknowledge the receipt of your letter of the 20th instant, and I am to acquaint you in reply, that his Lordship is unable to state whether the Islands of Lobos de Tierra and Lobos de Afuera belong of right to any foreign nation. But as they certainly do not belong to Great Britain, and as the British Government have no intention of claiming them as British property, Her Majesty's Government do not contemplate sending any of Her Majesty's ships of war to those islands with a view to guard them.

I am, &c.
(Signed) H. U. ADDINGTON.

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No. 29.

*Mr. Cardwell, M.P., to the Earl of Malmesbury.*

20, *Fludyer Street, Thursday, April* 29, 1852.

MR. CARDWELL presents his compliments to the Earl of Malmesbury, and takes the liberty of representing to his Lordship that he has been desired by Mr. Graves, one of his constituents, to solicit the honour of an interview,† in the course, if it be practicable, of this day, and if not, on some convenient day in the ensuing week, upon the subject of the inclosed letter addressed to his Lordship by Mr. Rankin, the Chairman of the Shipowners' Association at Liverpool.

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* A similar letter sent on the same day to Mr. Allan Edward and to Mr. Lidgett.
† Interview appointed for same day, before 5 P.M.

Inclosure in No. 29.

*Mr. Rankin to the Earl of Malmesbury.*

*Shipowners' Association, Liverpool,*
My Lord, *April* 27, 1852.

AS Chairman of the Liverpool Shipowners' Association, I have been requested by the Committee of that body to take the opportunity of addressing you by the bearer of this, Mr. Samuel R. Graves, an influential member of the Association, respecting the recently-discovered guano islands in the Pacific, called the Lobos Islands; and to express to you the great anxiety which the Association feels as to the result of any communications between Her Majesty's Government and the Representatives in England of Peru, respecting the participation of this country in the guano trade at the islands, as the Association are informed that a considerable amount of British shipping has been sent out in the expectation of being enabled to load guano there.

I have, &c.
(Signed) ROBERT RANKIN.

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No. 30.

*Mr. Addington to Captain Hamond.*

Sir, *Foreign Office, May* 5, 1852.

I AM directed by the Earl of Malmesbury to acknowledge the receipt of your letter of the 20th ultimo, containing information respecting the Islands of Lobos de Tierra and Lobos de Afuera, in the Pacific Ocean; and I am to convey to you his Lordship's thanks for that communication.

I am, &c.
(Signed) H. U. ADDINGTON.

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No. 31.

*Mr. Rae to Sir John Pakington.*

*Aberdeen Town and County Bank,*
Sir, *Ellon, May* 4, 1852.

BEING considerably engaged in the trade in Peruvian guano, and having been informed that guano has lately been discovered on an island named Lobos de Tierra, in latitude 6° 59′ south, longitude 80° 45′ west, about fifty miles from the coast of Peru, I will feel obliged by your informing me if I will be protected by the British Government, in sending out vessels to that island to load guano.

As I do not find that island enumerated in the list of Peruvian possessions, I presume it is open to the world the same as Ichaboe was; but before chartering vessels I wish to make certain of this, and will feel obliged by your giving me an answer as soon as you can.

I am, &c.
(Signed) JOHN RAE.

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No. 32.

*M. de Rivero to the Earl of Malmesbury.*—(*Received May* 6.)

Excelentisimo Señor, *Londres, 4 de Mayo de* 1852.

DESPUES de la conversacion que tuve ayer con vuestra Excelencia en la entrevista que me hizo el honor de concederme, abrigo la confianza de que habrá quedado satisfecho en virtud de las esplicaciones francas que le dí acerca de las Islas de Lobos y de los documentos que le puse á la vista.

Como ya informé á vuestra Excelencia verbalmente, las Islas de Lobos de Tierra y Lobos de Fuera encierran cierta cantidad de huano, aunque muchisimo mas pequeña que lo que se ha querido hacer creer al público, y pertenecen al Peru al presente, como pertenecieron antes á la Peninsula Española que dominó aquellas regiones, resultando que cada seccion Hispano-Americana ha entrado á poseer aquella parte del territorio que corresponde á su latitud y á su longitud. En cuanto á las Islas de Lobos, sucede casualmente que la denominada de "Lobos de Fuera," sin embargo de estar colocada á mas distancia de nuestra costa que la de Lobos de Tierra, se halla en longitud menos occidental. Ambas islas pueden verse facilmente por cualquiera embarcacion que navegue por el espacio que las separa, rumbo que por lo regular toman casi todos los buques que hacen el comercio del cabotaje en aquella parte de la costa del Peru, y aun por las embarcaciones estranjeras que navegan del Callao á Paita y Guayaquil, *ó vice versâ*. Por esta razon, bien se persuadirá vuestra Excelencia de que las Islas de Lobos, que no son mas que desiertos y áridos peñascos, hoy de alguna importancia por el huano que encierran, han debido ser conocidas por los navegantes desde el tiempo de la conquista que hizo Francisco Pizarro del imperio de los Incas. Es por lo mismo algo estraño que quiera atribuirse su descubrimiento á principios de este siglo por algunos, y al año de 1832 por otros.

Yo no habria molestado á vuestra Excelencía con las esplicaciones que le dí de palabra ni con la presente comunicacion, si este asunto no hubiera sido ya agitado en la prensa de este pais, con ignorancia absoluta de los hechos y de los antecedentes. Nosotros ocupamos y usamos las Islas de Lobos de Tierra y Lobos de Fuera, porque *bonâ fide* las hemos considerado y las consideramos siempre nuestras. Desde tiempo inmemorial han acostumbrado los Indios Peruanos ir á esos parajes para hacer la pezca de lobos, matar pájaros, y recojer huevos, llevando en sus canoas crecida carga de estos objetos á la Ciudad de Lambayeque, y otros puntos de la costa. Alli han tenido siempre establecidas sus cabañas y demas pequeñas habitaciones, siendo en ellos tan inveterada esa costumbre, que a pesar de los reglamentos y decretos espedidos por el Gobierno hace mas de diez años prohibiendolo, con el objeto de que no se destruyan y ahuyenten las aves marinas que producen el huano, hoy mismo no dejan los pescadores de visitar esos parajes adonde no pueden ir á cargar huano ni las naves estranjeras para la esportacion, ni las nacionales para el consumo de la agricultura del pais. Bajo este aspecto ocupamos y usamos las Islas de Lobos de Fuera y Lobos de Tierra.

Pero hay mas todavia como lo comprueban los documentos y planos topográficos que he tenido el honor de poner delante de los ojos de vuestra Excelencia. Desde que el Gobierno del Peru conoció que el huano se hacia un articulo de esportacion, trató de cerciorarse de la cantidad que probablemente podria existir en los varios depósitos, con la mira de acallar el clamor de los agricultores nacionales que podian mirar mal la salida de este articulo tan indispensable para la agricultura del pais. Al efecto me comisionó para examinar y medir estos depósitos. Asi lo verifiqué con los de Chipana, Huamillos, Punta de Lobos, Pabellon de Pica, y las Islas de Chincha. El resultado de mis observaciones aparece consignado en una memoria publicada en 1845, que tambien tuve el honor de someter á la inspeccion de vuestra Excelencia, y en la que menciono las Islas de Lobos de Tierra y Lobos de Fuera como formando parte de nuestros

depósitos del norte, que son mucho menos considerables que los de Chincha y del sur.

No habiendo podido continuar mi visita, fue mandado por mi Gobierno el injeniero, Don Eduardo Cater, que examinó y midió las pequeñas Islas de Guañape, Malabrigo, Santa, Ferrol, San Martin, Marzoque, el Pelado, las Islas Pescadoras, las Islas Hormigas, y por último las Islas de Lobos de Tierra, que encierran la isla principal, la Punta Corcobada, la Isla Bermeja, la Isla Felix Gonsalez, la Isla Colorada, asi como tambien la Isla de Lobos de Fuera. Vuestra Excelencia ha visto los planos topográficos de estos terrenos, resultando de su inspeccion que solo una pequeña parte de aquellas localidades por hallarse mas abrigadas de los vientos, es la que encierra depósitos de huano. Casualmente conservo en mi poder la memoria en cópia manuscrita de Don Eduardo Cater, de la que he estraido y vertido al Frances, lo principal que se refiere á estas islas.

Temiendo cansar demasiado la atencion de vuestra Excelencia, solo agregaré que tan luego como llegó á mi noticia lo que se pretendia por algunos especuladores, adelantando que las islas en cuestion eran abandonadas y desiertas, sin reclamarse por nacion alguna, juzgué conveniente precaucionar al público en general, y á los navieros en particular, por medio de lá notificacion que adjunto en cópia.

Dichas islas deben estar marcadas en todas las cartas antiguas; pero segun las mas recientes del distinguido Capitan Fitzroy, la Isla de Lobos de Tierra se encuentra como á doce millas de la costa, y la de Lobos de Fuera como á cuarenta y una millas aunque en longitud menos occidental.

Confiando en que vuestra Excelencia querrá admitir las anteriores y sencillas esplicaciones con la imparcialidad que lo caracteriza, concluyo rogandole se sirva acceptar, &c.

(Firmado) FRAN$^{CO}$. DE RIVERO.

(Translation.)

My Lord, *London, May* 4, 1852.

AFTER the conversation which I had with your Excellency yesterday in the interview which you did me the honour to grant, I cherish the confidence that you will have been satisfied by the candid explanations which I furnished to you in reference to the Islands of Lobos and to the documents which I laid before you.

As I have already informed your Excellency verbally, the Islands of Lobos de Tierra and Lobos de Fuera contain a certain quantity of guano, although very much less than it has been thought proper to make the public believe; and they now belong to Peru, as they formerly belonged to the Spanish Peninsula, which held dominion over those countries, because each section of Spanish America entered into possession of that part of the territory which corresponds with its latitude and its longitude. With respect to the Islands of Lobos, it casually happens that the one called "Lobos de Fuera," although situated at a greater distance from our coasts than that of Lobos de Tierra, is in a less western longitude. Both islands may be easily seen by any vessel navigating the space which divides them, a course which is taken generally by almost all the vessels engaged in the coasting trade on that part of the coast of Peru, and even by foreign vessels sailing from Callao to Paita and Guayaquil, or *vice versâ*. For this reason your Excellency will be fully convinced that the Islands of Lobos, which are nothing but desert and arid rocks, become now of some importance from the guano which is found upon them, must have been known to navigators from the time when Francis Pizarro conquered the empire of the Incas. It is therefore somewhat strange that some persons would attribute their discovery to the commencement of the present century, and others to the year 1832.

I would not have troubled your Excellency with the explanations which I gave to you personally, nor with the present communication, if this matter had not been already taken up by the press of this country, in the absolute ignorance of facts and of previous circumstances. We

occupy and use the Islands of Lobos de Tierra and Lobos de Fuera, because we have always *bonâ fide* considered them, and do consider them to be ours. From time immemorial the Peruvian Indians have been accustomed to go to those parts to get lobos [sort of seal], to kill birds, and get eggs, carrying considerable cargoes of these articles to the town of Lambayeque and other places on the coast. They have always had their huts and other little habitations established there; this habit being so inveterate in them, that in spite of the repeated regulations and decrees of the Government, made more than ten years ago to prohibit it, in order that the birds which produce guano may not be destroyed or driven away, the fishers to this very day do not cease to visit those parts where foreign ships cannot go to load guano for exportation, nor native ships for the agricultural consumption of the country. Under this aspect we do occupy and use the Islands of Lobos de Fuera and Lobos de Tierra.

But there is yet more to be said, as is proved by the documents and maps which I had the honour to submit to your Excellency. As soon as the Government of Peru was aware that guano had become an article of exportation, it proceeded to make inquiries as to the amount which might probably exist in the various deposits, with the object of silencing the clamour of the native farmers, who might be displeased to see this article exported, which is so indispensable for the agriculture of the country. In fact they commissioned me to examine and measure those deposits; this I effected with the deposits of Chipana, Huanillos, Punta de Lobos, Pabellon de Pica, and the Chincha Islands. The result of my observations appears embodied in a memoir, which I also had the honour to submit to the inspection of your Excellency, and in which I mention the Islands of Lobos de Tierra and Lobos de Fuera as forming a part of our northern deposits, which are much less considerable than those of Chincha and of the south.

Not having been able to prolong my examination, the engineer Mr. Edward Cater was sent by my Government; he examined and measured the little Islands of Guañape, Malabrigo, Santa, Ferrol, San Martin, Marzoque, el Pelado, the Pescadores, the Hormigas, and lastly, the Islands of Lobos de Tierra, which comprise the Isla Principal, the Punta Corcobada, the Isla Bermeja, the Felix Gonsalez, and the Isla Colorada, as well as the Island of Lobos de Fuera. Your Excellency has seen the topographical plans of these territories, and it is found from his survey, that it is only a small part of these localities which, in consequence of being more sheltered from the winds, contain deposits of guano. I have accidentally kept in my possession a manuscript copy of the memoir of Mr. Edward Cater, out of which I have extracted and translated into French the principal part which refers to these islands.

In the fear of wearying your Excellency's attention too much, I will only add that so soon as I heard of the pretensions of certain speculators, who stated that the islands in question were abandoned and desert, without being claimed by any nation whatever, I thought proper to caution the public in general, and shipowners in particular, by means of the notification, a copy of which I inclose.

The above islands must be inserted in all the old maps; but in the most recent charts of the distinguished Captain Fitzroy, the Island of Lobos de Tierra is placed at twelve miles from the coast, and that of Lobos de Fuera at forty-one miles, although its west longitude is not so great.

Trusting that your Excellency will admit the above simple explanations with your characteristic impartiality, I conclude, asking you to receive the assurances, &c.

(Signed) FRAN$^{co}$. DE RIVERO.

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Inclosure in No. 32.

*Official Notification.*

*Peruvian Legation,*
*London, April* 21, 1852.

IT having been publicly stated that the islands called the Lobos de Tierra and Lobos de Fuera, containing guano beds, are desert islands, and have never been claimed by any nation, the Peruvian Legation in London feels called upon to make the following statement, as a caution to owners of vessels and others :—

1. The aforesaid Islands of Lobos de Tierra and Lobos de Fuera, opposite the Province of Lambayeque, in the Department of Liberdad, have been known ever since the discovery of the west coast of South America by the Spaniards, to whom they belonged; and they now form part of the several deposits of guano situated between the latitude of the River Loa and that of Tumbes, which are in the possession of the Republic of Peru.

2. By virtue of decrees now in force, no vessel, either under the national or any foreign flag, has a right to go to the Peruvian guano deposits, without first obtaining permission from the Peruvian Government, under penalty of confiscation.

3. Foreign vessels, furnished with Government licences, are allowed to load at the Chincha Islands only.

4. The before-mentioned Islands of Lobos de Fuera and Lobos de Tierra, as well as those of Guañape, Malabrigo, and other localities north of Callao, where deposits of guano exist, as also some of the southern deposits in the Province of Tarapaca, are purposely kept uninhabited and unfrequented by order of the Government, in order that the birds may be left undisturbed, and thus a constant increase of the deposits be promoted.

5. From time immemorial the fishermen of Lambayeque have been accustomed to inhabit the Lobos de Tierra and Lobos de Fuera, but for some years past the Peruvian Government have prohibited their so doing, in consequence of their destroying thousands of birds, and bringing away boat-loads of eggs to the villages of Lambayeque, San Pedro, and other places on the coast.

6. Since the commencement of the export of guano to Europe, all the deposits belonging to the Republic of Peru have been surveyed and measured by orders of the Government; and amongst these are enumerated the Lobos de Tierra and Lobos de Fuera, within the jurisdiction of the Department of Liberdad, formerly called Trujillo.

7. There exist in the archives of the Peruvian Legation in London particulars of the measurements and calculations made some years since with a view to ascertain the quantity of guano on the Lobos de Tierra and Lobos de Fuerra.

8. Finally, any attempt to load vessels without the proper licence, would subject them to be seized by the Government vessels appointed to cruize off and visit the different guano deposits, in order to prevent not only the illegal extraction of guano by foreign trading-vessels, but also to prevent the natives of Peru from violating the Government orders against visiting those localities, and destroying or disturbing the birds.

(Signed) EMILIO DE ALTHAUS,
*First Attaché to the Legation and Vice-Consul.*

No. 33.

*M. de Rivero to the Earl of Malmesbury.*

4 *de Mayo de* 1852.

M. DE RIVERO tiene el honor de saludar respetuosamente á su Excelencia Lord Malmesbury, y con referencia á la comunicacion que con esta fecha le ha dirijido sobre las Islas de Lobos, le incluye ahora tres números de un periódico Ministerial de Lima, y que alli se considera como semi-oficial. Bajo los auspicios del Señor Ministro de Hacienda, se está reimprimiendo en aquella capital, un folleto titulado "Estudios sobre el Huano," del que aparecen reproducidos algunos fragmentos. Los datos que contiene esa publicacion estan basados ó sacados de la Memoria que M. de Rivero publicó en 1845 por órden de su Gobierno, y de las investigaciones del injeniero Cater, que visitó en 1847, y por encargo de la autoridad Peruana, las huaneras del norte.

M. de Rivero reitera, &c.

(Translation.)

*May* 4, 1852.

M. DE RIVERO has the honour to present his respectful compliments to his Excellency Lord Malmesbury, and with reference to the communication which he has this day addressed to him in relation to the Islands of Lobos, he now forwards three numbers of a ministerial paper published at Lima, which is considered there as semi-official. A pamphlet entitled "Considerations upon Guano" is being reprinted in that city under the auspices of the Minister of Finance, some portions of which are reproduced. The data comprised in that publication are based upon or derived from the Memoir published by M. de Rivero in 1845, at the commands of his Government, and the investigations of the Engineer Cater, who in 1847 visited the guano-deposits of the north, being commissioned by the Peruvian authorities.

M. de Rivero repeats, &c.

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Inclosure in No. 33.

*Extracts from "El Interprete del Pueblo."—Lima, January* 23, 26, 27, 1852.

*Estudios sobre el Huano.*

AL celo patriótico con que el Benemérito Señor General encargado del Despacho de Hacienda favorece y promueve cuanto puede contribuir de algun modo al bienestar del pais, y á la suma benevolencia con que ha visto nuestros ensayos literarios, es debida una segunda edicion de los "Estudios sobre el Huano," que actualmente está bajo la prensa. Este trabajo tiene por objeto, reunir en un solo cuerpo, todos los documentos de importancia que tienen relacion con el abono que dá al tesoro nacional tan cuantiosos auxilios; y como en él figuran nuevas indagaciones y nuevos datos que no conoce el público, creemos que mirará con agrada la insercion de algunos fragmentos en las columnas de este diario.*

I.

Naturaleza del Huano—Tiempo probablemente necesario para la formacion de las Islas de Chincha—Aves que producen el Huano—Destruccion que hacen los Indios de estas aves—Sistema observado en la materia por los Incas—Causas de la superioridad del Huano del Perú sobre los demas huanos conocidos—Nuevas aplicaciones de Huano.

Antes que la naturaleza del huano fuese bastante conocida entre nosotros, se creyó por algunos que esta sustancia era de origen mineral y por consiguiente inagotable; mas despues de una atenta observacion y

* La clasificacion de los pájaros huaneros la debemos al caballeroso comedimiento del Señor Raimondi, profesor de Historia Natural en el Colejio de la Independencia.

de los trabajos de la ciencia, ya no es lícito bajo ningun aspecto conservar tal idea.

De dos modos se puede demostrar que el huano es fruto de la escrementacion de las aves marinas: por hechos físicos que hieren inmediatamente los sentidos, y por las revelaciones analíticas.

Ocupándonos de los primeros, encontramos que las acumulaciones de huano jamas se hallan en tierras interiores, sino en las costas, y mas ordinariamente en el mar, fenómeno que no se verifica con las minas esparcidas, como todos saben, en distintas regiones. Luego tenemos que en el fondo de las capas espesas de este abono, se hallan constantemente esqueletos de pájaros y peces, huevos y otros despojos orgánicos, pulverizados en el todo ó en parte; que las capas de huano comun se alternan con capas de huano de lobo, lo que demuestra que simultánea ó alternativamente, se han cubierto las islas con animales diferentes; y por último, que hoy se ve huano sobre rocas peladas en donde antes no habia de él ni remotos vestigios. La Isla da Santa, situada á los 9° 11′ latitud sur, segun las relaciones que los habitantes de la costa inmediata hicieron á Mr. Carter, estaba, ahora quince ó veinte años completamente desnuda, y á la fecha contiene algunas toneladas. La de San Martin, que se eleva á los 14° 4′ latitud sur, á la vista del pueblo de Bégueta en la Provincia de Chancay, fué centro de un estenso hospital, en donde se medicinaban los enfermos del Ejército Libertador el año de 1821; entonces no contenia huano, y ahora encierra una pequeña cantidad. A todos estos comprobantes se agrega la opinion popular de los indígenas, quienes, juzgando la materia esentos de las prevenciones que engendran siempre los sistemas, le han atribuido origen animal á la sustancia con que fertilizan sus tierras. Ni podia suceder de otro modo, desde que veían nubes inmensas de diferentes pajáros acumular en las islas sus basuras, de modo, que á lo lejos, representaban "nevadas sierras," segun la espresion de Garcilaso; basuras que, siendo blancas al principio, cambiaban á su presencia de color por la fermentacion de sus bases y por la accion de los ajentes esteriores. Si en vista de las enormes moles de las Islas de Chincha, llegase á ser dificil concebir como han podido formarse estas con materiales en apariencia tan exigüos, en el siguiente cálculo del Señor Rivero se hallará una satisfactoria esplicacion:

"Suponiendo, nos dice, en estos depósitos diez y ocho millones de toneladas con peso de trescientos sesenta millones de quintales, nos da esta suma la de quinientos sesenta y seis mil millones de onzas de peso. Ahora bien: no es exajerado admitir que cada pájaro deposite una onza de excremento diario: del diluvio á nuestros dias van corridos cerca de seis mil años, ó lo que es lo mismo, dos millones ciento noventa mil dias. Dividiendo el número de onzas por el de dias, se tendrá que ha bastado para las portentosas existencias de Chincha, la cantidad de doscientos setenta y cuatro mil pájaros viviendo continuamente en aquellos lugares." Y en efecto, esta suma es bajo todos aspectos moderada, si se atiende á que las bandas de animales son tan numerosas y grandes que hoy mismo en que se encuentran perseguidos por los inconvenientes del tráfico, son increibles si no se ven, valiéndonos de la frase que usó el Inca historiador.

Pero lo que resuelve definitivamente la cuestion acerca de la naturaleza del abono, es la autoridad de la química. Cuantos análisis se han hecho de él, dan como ya se ha visto, ácido úrico libre, uratos, fosfatos, carbonatos, fosfatos de amonio, y otros productos come estos eminentemente animales; y aun cuando entre tales materias se halla tambien la arena, su presencia se esplica teniendo consideracion que las aves la tragan con el alimento, y que, no siendo dijerible, sale envuelta en los heces.

Entre las diversas tribus de pájaros que cubren los depósitos huaneros y los arrecifes inmediatos: entre esas turbas infinitas que oscuresen el sol; ademas de las aninghas, los zarcillos, los pájaros niños y los cuervos, los mas notables son: los piqueros, los alcatraces, los aradores, los patos de mar, las gaviotas y los potoyuncos; individuos de diversas familias, que por el importante servicio que dispensan al pais, son acreedores á que los hagamos conocer, dedicándoles algunas líneas.

Piqueros (*Sula*). Estos pájaros se llaman tambien *locos*, por su

notable estupidez, y por la suma facilidad con que se dejan cojer. Nadan muy raras veces y andan tan mal, que para sostenerse necesitan el auxilio de las robustas plumas de su cola. Vuelan continuamente á corta distancia de las aguas, y cuando divisan algun pez, se precipitan sobre él como una flecha y le dan caza en el instante. Mas no siempre consiguen apropiarse los frutos de su rara ajilidad: su cobardia y su torpeza los hace esclavos de la poderosa fragata, y de otros pájaros que los golpean con sus alas y los pican hasta el punto de hacerles desembuchar el alimento para devorarlo ellos en seguida. Los piqueros anídan en partidas gigantescas y sus pichones permanecen algun tiempo cubiertos con una piel sedosa y blanquecina.

Alcatraces (*Pelicanus*). El alcatraz de las huaneras del Perú es el Pelícano de los antiguos, ese símbolo del amor maternal, á quien se atribuia la virtud de nutrir á sus hijos con sangre sacada de su seno, cuando no hallaba otro alimento que ofrecerles. Las ideas que acerca de este pájaro se tienen en el dia son muy diversas, porque la fria observacion ha descubierto que, á manera de muchos hombres públicos, usurpaba su reputacion. La pretendida ternura del pelícano es un vicio contrario á esta vertud, vicio que de tal modo lo domina, que abandona con la mayor indiferencia sus polluelos al primero que quiere tomarlos. Mas si la poesia ha perdido con el conocimiento real de los pelícanos, la industria saca de ellos un partido que no ofrecian antes. Dotados de la talla del cisne y de magníficas y robustas alas, vuelan perfectamente, y cazan, como los piqueros, el pescado con una celeridad incomparable. Los Chinos aprovechan de estas prendas y de su configuracion orgánica. Despues de domesticarlos, los colocan un anillo en el cuello y los dedican á la pesca: el animal llena en muy poco tiempo la inmensa bolsa que tiene bajo el pico, y no siéndole posible tragar las presas que recoje, las pone á disposicion de su Señor.

Aradores (*Rinhcops nigra*). Muy notables por la estructura de su pico bastante parecido á una tijera, son estos pájaros que por su modo de vivir, pueden llamarse los esclavos del mar. Impedidos por su configuracion de cazar como las aves superiores, para hallar alimento están forzados á volar sumerjiendo en el agua la parte inferior de su pico, imitando á la reja del arado cuando rompe las tierras labrantias. Felices los cuitados aradores, si despues de encontrar su sustento á costa de pesadas fatigas, no se ven precisados á cederlo á la violencia de sus dominadores, de la misma manera que ceden el fruto de sus sudores y trabajos los desgraciados que esplotan los tesoros de la tierra para que los consuman á su vista sus opresores inhumanos.

Los aradores habitan las regiones tropicales y especialmente la América del Sur; tienen las alas largas, pero su vuelo es corto y nunca se alejan de la costa.

Patos de Mar (*Carbo Gaimardi*). Los patos de mar se distinguen por ser excelentes somorgujos: su voracidad es igual á la de los pelícanos, y cuando se han hartado, se encaraman sobre cualquiera altura por todo el tiempo de la digestion.—Es admirable ver, desde las cumbres de las rocas, la increible velocidad con que los patos persiguen á su presa bajo el agua.

Gaviotas (*Larus*). Buitres del mar pueden llamarse las gaviotas desde que se las vé destinadas á limpiar las riberas y las aguas de cuantos despojos orgánicos contienen. El pescado y la carne, palpitantes o en putrefaccion, las escamas, las espinas, los huesos, todo conviene á su voracidad, todo so digiere y consume en su poderosísimo estómago. Con un carácter sanguinario á la vez que cobarde, huyen de los pájaros fuertes, oprimen á los débiles, tienen frecuentes riñas entre sí por arrebatarse las presas, y "cuando estan en cautiverio se ágria de tal suerte su humor, que se hiere sin motivo aparente, y la primera cuya sangre brota, es victima infeliz de las demas, que no se satisfacen hasta despedazarla despues de haberle acometido sin razon." Las gaviotas andan en grandes tropas por las playas, nadan perfectamente y vuelan de tal modo que no es raro encontrarlas á un mas de cien leguas de tierra.

Potoyuncos (*Puffinaria Garnoti*). Estos pájaros se hallan en grandes porciones en toda la costa del Perú, y son los que mas huano producen:

anidan en cavernas formadas entre las acumulaciones del abono y procrean abundantemente.

Ademas de las especies mencionadas, hay otras muchas que concurren á aumentar la riqueza de las islas; pero no siendo nuestro objeto escribir la ornitología marítima del pais, concluiremos esta materia con algunas observaciones que estimamos de interés general.

La mayor parte de los pájaros productores de huano ofrecen á nuestros indígenas un mangar estimado en sus carnes. Nada es mas natural en los puertos que ver canoas cargadas de piqueros, potoyuncos, huanaes y huevos destinados al diario consumo y puestos en los públicos mercados; la aficion por estos alimentos se ha sobrepuesto á los mandatos que prohiben usarlos, y como la caza sigue haciéndose en notables proporciones, creemos que la administracion debe dictar medidas que sean parte á evitarla, á fin de que no imitemos al salvaje que corta el árbol para cojer el fruto, para que no ceguemos en su orijen la fuente de donde hoy sacra el erario sus principios de vida. Aunque el huano no era para los aborígenes un artículo tan interesante como lo es para nosotros en el dia, ellos tomaban para su conservacion y consumo precauciones que, despojadas de la barbaridad propia del tiempo de los Incas, son bajo mil aspectos acreedoras á nuestra meditacion y á nuestro estudio. "Entónces habia tanta vijilancion en guardar los pájaros huaneros," dice el autor de los 'Comentarios Reales,' "que en la época de cria á nadie era lícito entrar en las islas so pena de la vida, por que no los asombrasen y echasen de sus nidos. Tampoco era lícito matarlas en ningun tiempo, dentro ni fuera de las islas so la misma pena."

En cuanto á la distribucion de la materia, empleaban reglas igualmente severas; mas ellas carecerian de sentido en nuestro estado actual.

Casi todos los pájaros de que acabamos de ocuparnos son cosmopolitas, y han formado grandes depósitos de huano en diferentes partes del mundo; huano que por la identidad de origen debia tener en todas latitudes las mismas propiedades fecundantes; mas no satisfecho el Ser Supremo con los tesoros que ha derramado en nuestro suelo, quiso al darnos el huano, darnos tambien un privilegio que realzase su mérito. Las monstruosas acumulaciones existentes en Patagonia y Africa, apenas sirven para los usos de la agricultura, porque las lluvias copiosas que las bañan disuelven sus principales elementos, y el amoniaco, y demas sales casi desaparecen, dejando dominar en el abono las bases calcáreas y terrosas. No sucede lo mismo bajo el cielo sereno del Perú, en donde reina una perpetua primavera que conservándolo su vigor nativo, hace que en todas circunstancias lleve á los campos los principios de fertilidad y de abundancia contenidas en su naturaleza. Por estas causas el huano de nuestras costas se prefiere en cuantos mercados se presenta, y mientras las leyes fisicas no cambien, continuará siendo superior á todos los huanos conocidos.

Verdad es, que no obstante su fuerza productora, la esfera de las aplicaciones del huano, tanto en el pais como en Europa, se encuentra casi limitada á los cereales, pues los indígenas, desde los tiempos de los Incas, lo reservan al maiz, al trigo y algunas veces á la quinua, y los cultivadores Europeos cuidan de no aplicarlo á los tubérculos y raices, porque les comunica un olor que está muy lejos de ser grato; pero como la industria aspira siempre á derribar cuantas barreras se le oponen á su marcha triunfal, parece que nuevos horizontes se abren ahora para el huano.

Segun los datos que trasmite al Gobierno nuestro Encargado de Negocios en Lóndres, en esta gran metrópoli se trata de preparer el huano con ácido sulfúrico y sostituirlo al superfosfata de cal, que esclusivamente ha servido al beneficio de los nabos y raices, sostitucion que realizada con buen éxito, aumentará la demanda del abono de un modo á toda luz indefinido. De esta manera el porvenir del huano es cada dia mas risueño, y solo falta que seamos prudentes, para gozar por tiempo ilimitado la renta adicional y extraordinaria que en tan crecidas porciones nos tributa.

## I.

Posicion y Carácter de los Depositos de Huano—Division—Huaneras del Sur—Chipana—Huanillos—Punta de Lobos—Pabellon de Pica—Puerto Inglés—Islas de Iquique y Patillos—Punta Grande—Otros Depósitos—Resúmen.

### *Posicion y Carácter de los depósitos de Huano.*

Desde los 6° de latitud meridional, hasta los 21° 2′ de la misma, sitio en que el Rio Loa lleva sus aguas al Pacifico; casi todo el litoral y parte de nuestra costa ofrecen depósitos de huano notable por su buena calidad, por su abundancia prodigiosa, y por las grandes riquezas que promete.

Las bases de las islas y barrancos en que se encuentra acumulado, son comunmente de rocas primitivas, y asi se ven en ellas granitos anfibólicos, mica, gneiss, y otros lechos cuarzosos ó feltspaticos. El huano está generalmente dispuesto en capas mas ó ménos espesas cuya direccion es horizontal; pero á veces se inclinan de tal suerte que casi quedan verticales, fenómeno que como el de las capas onduladas, induce á creer que los terrenos en que estriban han sufrido desquiciamientos subterráneos posteriores á su formacion.

Como en algunos de estos depósitos se observa que el huano está cubierto por masas de aluvion, de una á tres varas de grueso, con impresiones de conchas marinas, masas que tienen sobre sí nuevas superposiciones de huano cubiertas por arenas superiores; es necesario suponer que la edad de estos sitios es ánterior al diluvio, ó á los cataclismos y trastornos parciales que ha sufrido visiblemente el globo.

Nuestras huaneras en su mayor parte están cubiertas por una costra superior de formacion mecánica, y de un espesor que siendo en general de cuatro ó seis pulgadas, suele llegar á tres y cuatro pies, costra llamada por los naturales *caliche* y compuesta de sales y arena. Aunque no se han ensayado los efectos de esta sustancia aplicada á la vegetacion, es probable que abunde en amoniaco procedente de las emanaciones que recibe, y tan intimamente se liga con el huano, que bien puede decirse que hay entre ambos la relacion del efecto á la causa, pues si no siempre se halla caliche en los depósitos, el caliche es en toda circunstancia signo infalible de la existen del abono.

El color del huano en los depósitos varia desde el blanco hasta el rojo encendido, y pasa por las gradaciones intermedias del gris claro, el oscuro y el negrusco, estando este último mezclado con el huano de lobos, poco útil para la agricultura.

Parece que el peso específico del huano está en razon directa de su color y calidad, porque generalmente se observa ser mas pesados el ceniciento oscuro y el rojo, que los otros. Por esta causa, se hace sumamente dificil saber el peso de una vara cúbica de huano de diversos colores. En los esperimentos que se han hecho fluctua entre doce y diez y seis quintales, hasta que se ha convenido en asignarle el peso de media tonelada (diez quintales).

Estas observaciones generales comprenden á todas las huaneras del pais, y reasumen cuanto presentan de notable en su parte geográfica y geológica. Siendo una misma la materia, y casi identicas las fuentes de donde trae origen, el suelo y los agentes esteriores la modifican levemente, por cuya causa sus rasgos esenciales convienen en toda localidad y circunstancia.

## II.

### *Division.*

Para que el estudio de las huaneras sea fácil, es conveniente dividirlas en tres grandes seciones: una meridional, que abraze las que se hallan situadas entre la raya de Bolivia y Acari; otra del centro, compuesta de las que estan entre este puerto y el Callao; y finalmente, la del norte, formada de las demas de la República. Procuraremos hacerlas conocer por su órden y con la rapidez correspondiente.

## Huaneras del Sur.

### *Chipana.*

El depósito de este nombre está situado á los 21° 22′ lat. S., y consiste en una meseta de veinticinco á treinta varas sobre el nivel del mar. En sus mayores dimensiones mide 357 varas de longitud y 131 de ancho, dando una superficie cuadrada de cuarenta y seis mil setecientas sesenta y siete varas (varas cúbicas, 46,767).

### *Huanillos.*

Esta huanera se halla á 21° 18′ lat. S., forma una punta en direccion del N. E. al S. O., y contiene cuatro quebradas, en las cuales está acumulado el huano. Su estencion superficial asciende á 158,242 varas cuadradas, y el número total de varas cúbicas de abono es tres millones ochocientas veinticinco mil diez (varas cúbicas, 3,825,010).

### *Punta de Lobos.*

Asi se llama una punta saliente que se encuentra á los 21° 6′ lat. S., sobre bases de mica-esquito y de granito, y compuesta de barrancos y quebradas en donde existe el huano, formando capas cuya altura media es de quince á veinte varas, siendo de 640 la total longitud del terreno. Su estencion superficial es de 138,579 varas cuadradas, y el número de varas cúbicas de abono asciende á dos millones novecientas veintiun mil quinientas ochenta (varas cúbicas, 2,921,580).

### *Pabellon de Pica.*

Su forma de tienda de campaña y la inmediacion al pueblo de Pica, han dado nombre al cerro de que nos ocupamos al presente. Su situacion está marcada por los 20° 57′ lat. S., y se compone de roca primitiva en la base y de gres arenisco en la cumbre. El huano de este depósito se halla en quebradas de variable altura cuya superficie mide 240,801 varas cuadradas, y el contenido en varas cúbicas llega á cinco millones novecientas cincuenta mil (varas cúbicas, 5,950,000).

### *Puerto Ingles.*

El Puerto Inglés existe á poco mas de un cuarto de milla del Pabellon, en una pequeña peninsula que, segun los indicios de su istmo, habrá sido isla en tiempos no remotos. El huano forma en este sitio una eminencia de 572 varas de largo, con una anchura que varía desde ciento cincuenta hasta trescientas varas, llegando su estencion superficial á ciento veintinueve mil doscientas cincuenta y una. Tomando en consideracion estos datos y la altura media de la acumulacion, puede admitirse la existencia de dos millones quinientas ochenta y cinco mil veinte varas cúbicas de huano (varas cúbicas, 2,585,020).

### *Islas de Iquique y Patillos.*

Al norte de Pabellon y Puerto Inglés, bajo los 20° 46′ lat. S., se encuentra la Isla de Patillos, y la de Iquique, en la ensenada de este nombre. Ambas fueron importantes depósitos de huano en los siglos pasados; pero ya exhaustos en el dia, solo contienen las pequeñas porciones resultantes de las deposiciones diarias de las aves. Apesar de lo exiguo de las nuevas acumulaciones, los agricultores inmediatos las estraen periódicamente en su totalidad, y como con este proceder impiden la rejeneracion de unos depósitos que por mas de doscientos años han satisfecho las necesidades de una gran parte del pais, sería de desear que se prohibiese el acceso á estas islas y á los demas islotes de la costa que en igual caso se hallan, á fin de que los pájaros los frecuenten con toda libertad y pueda contarse con repuestos en los momentos necesarios.

### *Punta Grande.*

Un promontorio que se encuentra á 20° 23′ lat. S., cerca de cuatro leguas de Iquique, se llama Punta Grande, y el huano que contiene está en diversas quebradas que miran sobre el mar. El núcleo de este terreno es compuesto de cuarzo, cruzado por algunas vetas de feltspato mas ó menos compacto, y tiene una superposicion calcárea.

Situada Punta Grande á inmediaciones del Morro de Tarapacá, que es una especio de montaña arenosa, el huano que allí existe se ve cubierto de cápas tan espesas de arena, que es necesario practicar considerables escavaciones para hallarlo. Por esta causa se llaman "huaneras subterráneas" las de este sitio, y por ella tambien se hace sumamente dificil calcular la cantidad de abono que encierran. Mas no obstante lo que acabamos de decir, los prácticos convienen en que puede ascender á grandes cifras. Hay diversas razones para creer que estos diversos depósitos se esplotan desde los tiempos de los Incas, y apesar de las inmensas estracciones que hasta el dia se han hecho, hay sin embargo, algunos todavia vírgenes. La calidad de este huano es regular, y en cuanto á los colores, lo dominan el rojo y el ceniciento.

### *Otros Depósitos.*

Ademas de los depósitos descritos en el camino de Iquique á Punta Grande, y en Pisagua, caleta situada en el norte del punto anterior, existen pequeñas acumulaciones de huano blanco y fresco, sobre varios peñascos, de los cuales se estrae para los usos de la costa. Tambien hay sitíos pertenecientes á particulares; pero en todos estos parajes son tan pequeñas las cosechas anuales de abono, que no merecen especial mencion.

### *Resumen.*

Reuniendo los datos consignados al tratar de los depósitos del sur encontramos [quince millones] ochocientos cuarenta y dos mil ochocientos catorce varas cúbicas de huano, ó lo que viene á ser lo mismo, siete millones novecientos veintiun mil cuatrocientas siete toneladas, como es de verse en la siguiente demostracion:

| Huaneras. | Varas Cúbicas. | Toneladas. |
|---|---|---|
| Chipana .. .. .. .. | 561,204 | 280,602 |
| Huanillos .. .. .. .. | 3,825,010 | 1,615,505 |
| Punta de Lobos .. .. .. | 2,921,580 | 1,460,790 |
| Pabellon de Pica .. .. .. | 5,950,000 | 2,975,000 |
| Puerto Inglés .. .. .. | 2,585,020 | 1,292,510 |
| Totales .. .. .. | 15,842,814 | 7,921,407 |

## II.

Huaneras del centro.—Islas de Chincha—Huaneras del Norte—Lobos de Tierra—Isla Principal—Punta Corcobada—Isla Bermeja—Felix Gonzalez—Isla Colorada—Lobos de Fuera—Isla de Guañape—Islas de Malabrigo—Isla de Santa—Islas del Ferrol—Isla de San Martin—Marzoque—El Pelado—Islas de Pescadores—Las Hormigas—Cuadro General—Resumen—Descubrimientos posteriores.

### *Huaneras del Centro.*

Los tres magníficos depósitos formados por las Islas de Chincha, á 13° 32′ lat. meridional, es decir, á 12 millas de Pisco, y en direccion de N. S. unos de otros, puede decirse que constituyen por si solos las huaneras del centro, pues aunque entre los Morros de Carretas y Viejas, y

en los Islotes de Ballesta tambien se encuentra algun abono, este ademas de hallarse en barrancos visiblemente inaccesibles, apenas se calcula que ascienda á treinta mil toneladas efectivas.

Como ya entre nosotros nadie ignora que las Islas de Chincha forman la principal riqueza del Perú, que de ellas se hace la éstraccion del huano que provee á los mercados extranjeros, y que las acumulaciones de su seno son mas grandes que las de todas nuestras huaneras reunidas, creemos que para su descripcion nos será licito ensanchar algun tanto los límites que la naturaleza de nuestro trabajo nos señala.

La fisonomía de estas islas difiere poco en cuanto á sus caracteres generales, cuando se las compara entre sí; su masa se eleva gradualmente desde la orilla hasta la cumbre, y puede darsele una altura media de ciento diez varas á cada una. Su formacion geologica consiste en un granito bien caracterizado, el huano se halla dispuesto en capas paralelas algunas veces onduladas, y los colores en ellas dominantes son: el gris oscuro, el gris claro, el gris ceniciento, el blanco sucio, y finalmente el rojo, colores que no parecen influir en la naturaleza del huano, pues bajo todos ellos se observa la misma fuerza fecundante.

No obstante que casi todas las huaneras están cubiertas de esa costra mecánica denominado "caliche," las de Chincha son esepcion de la regla general, el huano puro se halla desde la supérficie, y en ella anidan formando escavaciones, los millares de pájaros que han dado estos veneros de opulencia.

*Mediciones.*

Los depósitos de que nos ocupamos al presente fueron medidos en 1842 por el Señor Don José Villa, y cuatro años despues por el Señor Rivero, de quien ya hemos hablado. El primero encontró una existencia de cincuenta millones de toneladas; el segundo rebaja de este cómputo dos tercios, y para esplicar la enorme diferencia que entre ambos cálculos se encuentra, dice:

"La altura media de las islas en las puntas salientes es de diez varas, las partes mas alejadas de la orilla tienen viente, y solo en las partes centrales el huano se halla á una profundidad de cuarenta. El Señor Villa creyó que la suma de los trabajos sucesivos hasta el corte principal, era de cuarenta varas, cuando no pasaba de quince; á esta suma añadio otras cuarenta por el corte principal, error gravisimo, puesto que para admitirlo como dato siquiera probable, era preciso que ese corte central se estendiese uniformemente hasta la orilla, presentando allí el huano la elevacion de ochenta varas. Y no contento todavia con esta hipérbole, añadió que habia alturas mas considerables, de manera que segun su juicio, el huano debió tener ciento ó mas varas de profundidad, cuando las islas apenas tienen esa elevacion sobre el nivel del mar. Aviértase igualmente que en cuanto á la superficie, tampoco pudo ni aproximarse á la verdad, por cuanto el método que empleó no es susceptible de ofrecer satisfactorios resultados."

Despues de justificarse en estos términos, y observando que al pié del corte mas profundo de huano hizo una escavacion, que á las tres varas mostró la roca viva; pasa á dar cuenta del método que empléo para sus operaciones topográficas, y haciendo de los productos juiciosas deducciones, nos da, por aproximacion, las resultados siguientes:

| Islas. | Varas Cúbicas. | Toneladas. |
|---|---|---|
| Islas del Norte .. .. .. | 15,200,000 | 7,600,000 |
| Idem del Medio .. .. .. | 12,900,000 | 6,450,000 |
| Idem del Sur .. .. .. | 8,400,000 | 4,200,000 |
| Totales .. .. | 36,500,000 | 18,250,000 |

Por donde se vé que las Islas de Chincha contienen diez y ocho millones doscientas cincuenta mil toneladas de huano, segun la medicion que mas títulos tiene para considerarse razonable.

## III.

### Huaneras del Norte.

Esta seccion es sin duda inferior á las que dejamos descritas, pues estando compuesta en su mayor parte de islas pequeñas, bajas y combatidas en todas direcciones por los vientos, la parte de abono que contienen es de poco espesor en general, y con frecuencia mezclada con arena.

En el estado en que se encuentran las Huaneras del Norte, apenas podrian soportar un año las demandas del consumo extranjero; mas si se atiende á que su huano puro es de escelente calidad, y á que actualmente son morada de esas nubes inmensas de pájaros que ahuyentados del sur y del centro por los inconvenientes del tráfico, se han refujiado en sus dominios solitarios, esta parte de nuestro litoral tiene un inmenso porvenir, como llamada á renovar los raudales de la riqueza pública, cuando se hayan agotado las fuentes que hoy le sirven de pábulo.

Cuatro son las principales divisiones que pueden establecerse en las islas objeto del capítulo presente, y considerándolas segun su importancia respectiva, ocupan el primer lugar las llamadas

#### *Lobos de Tierra.*

Treinta y cinco millas al S. O. de Lambayeque, ó lo que viene á ser lo mismo, á 5° 6′ 30″ lat. S., forman las Islas de Lobos de Tierra, una especie de grupo compuesto de una isla principal (Lobos de Tierra propiamente dicha), tres pequeñas, y varias rocas adyacentes.

#### *Isla Principal.*

Como un inmenso óvalo profundamente comprimido en las regiones del norte y del centro, se estiende este depósito, en donde el huano no cubre por igual la superficie del terreno, interrumpida por picos y barrancos, sino tan solo el fondo de estos y los promontorios salientes.

Reuniendo las cantidades parciales que se encuentran en la garganta superior, en Punta Colorada, y en otra punta opuesta á la Isla de Felix Gonzalez, resultan aproximadamente ciento cincuenta mil doscientas varas cúbicas de huano, de color rojo y ceniciento oscuro que debe contener alguna mezcla de huano de lobo (varas cúbicas, 150,900).

#### *Punta Corcobada.*

Un alto promontorio que hace parte integrante de la isla anterior, lleva el nombre de Punta Corcobada, derivado de su configuracion especial. Su superficie estremamente irregular abunda en huano blanquecino que parece de nueva formacion, tiene poco espesor, mas á juzgarlo por sus apariencias, es de una calidad inmejorable. Esta localidad, por su estructura, favorece las acumulaciones de huano, y como á demas de estas circunstancias es protejida por el corso de los vientos, y el acopio de pájaros en ella es mayor que en cualquier otro punto de la seccion que describimos, hay sobrado razon para esperar que, con el tiempo, se haga un venero de importancia.

La estencion superficial de la Punta alcansa á 113,940 varas cuadradas, y las operaciones topográficas practicadas en ella dán doscientas veinticuatro mil setecientas sesenta varas cúbicas de huano (varas cúbicas, 224,760).

#### *Isla Bermeja.*

Mas de trescientas varas el O. de la isla grande, y ligada á ella por corones de rocas que se pierden en la marea llena, se encuentra la Bermeja, cuya forma representa una espátula. Su mayor largo es 495 varas, 220 su ancho y de 30 á 35 su altura. El abundante huano que aquí

existe, es de superior calidad y en su superficie se observa esa corteza de salitre tan comun en las huaneras del sud.

La área de la Bermeja es 52,926 varas cuadradas; la mayor profundidad es de 36 pies, y las varas cúbicas que arroja ascienden á trescientas diez y siete mil quinientas cincuenta y seis (varas cúbicas, 317,556).

### *Felix Gonzalez.*

Al S. O. de Punta Corcobada y como á distancia de una milla, esta Felix Gonzalez, isla de 90 varas de largo, 70 de ancho, y 15 de elevacion sobre el nivel del mar. El huano que contiene es superior, el grueso de la parte acumulada es 4 ó 5 varas, la área presenta 6,550 varas cuadradas, y el cálculo final veintiseis mil doscientas varas cúbicas (varas cúbicas, 26,200).

### *Isla Colorada.*

Esta isla se halla al S. E. de la isla principal; mide 336 varas de largo y 180 de ancho, y su mayor elevacion se ha calculado en 25 ó 30 varas sobre el nivel del mar. La roca primitiva que la forma esta enteramente cubierta de huano, y el mayor espesor de esta materia encontrado por escavacion es 39 pies.

Aunque el color que domina en el abono es el rojo, como ya pudo deducirse por el nombre de la isla, las cápas interiores son grises y tambien cenicientas, inpregnadas de un fuerte olor de amonio.

La isla á la fecha es centro de un inmenso concurso de pájaros que anidan tanto en la superficie como en cavernas formadas en su seno. Tiene por estencion superficial 31,510 varas cuadradas, y de huano doscientas trienta y seis mil trescientas varas cúbicas (varas cúbicas, 236,300). De esta isla se han sustraido como 600 toneladas de huano.

Reuniendo ahora el resultado de todas las mediciones practicadas en la seccion presente, tendremos el huano contenido en los Lobos de Tierra:

| Depositos. | Varas Cúbicas. | Toneladas. |
|---|---|---|
| Isla Principal .. .. .. | 150,900 | 75,450 |
| Punta Corcobada .. .. .. | 224,760 | 112,380 |
| Isla Bermeja .. .. .. | 317,556 | 158,778 |
| Felix Gonzalez .. .. .. | 26,200 | 13,100 |
| Isla Colorada .. .. .. | 236,300 | 118,155 |
| Totales .. .. | 955,716 | 477,850 |

### *Lobos de Fuera.*

Con el nombre de "Lobos de Fuera" se señalan dos islas situados á 7° 3′ lat. S., y separadas entre sí por un canal cuyo ancho no excede de cuarenta varas, y en direccion de N.E. y S.E. La base de estas islas es pizarra, la superficie muy irregular, y el huano que contienen abundante, aunque parece estar mezclado con el huano de lobo, por que allí abundan estos animales. Los pájaros que la habitan forman numerosas bandadas, entre las que dominan los piqueros.

No habiendose manifestado accesible la isla del norte, solo pudo reconocer la del sur el ingeniero del Gobierno: de sus cálculos resulta que tiene una área de 292,380 varas cuadradas, y un volúmen de huano que arroja quinientas treinta y un mil cuatrocientas treinta y seis varas cúbicas (varas cúbicas, 531,436).

*Islas de Guañape.*

Estas islas son dos y se encuentran á los 8° 36′ lat. S. como á distancia de cinco millas de la costa. Su base comun es de granito, y la mayor se alza bruscamente sobre el mar hasta la altura de 175 varas. El huano se halla en la isla mas del norte, y por ser esta de forma piramidal, cuando soplan los vientos, cae al agua en crecidísimas porciones. No obstánte estas pérdidas periódicas, en las 75,780 varas cuadradas de la área se calculan ciento cincuenta y nueve mil seiscientas veinte varas cúbicas de huano (varas cúbicas, 159,620).

*Islas de Malabrigo.*

A 7° 48′ lat. S., se encuentran esta islas, cuyo seno encierra porciones considerables de huano; mas no pudieron ser reconocidas por los inconvenientes del mal tiempo.

*Isla de Santa.*

La Isla de Santa se halla á 9° 11′ lat. S., y apenas tiene algunas toneladas de huano de muy reciente formacion. Pero si bajo este punto de vista no es en el dia interesante, parece que le está reservado en lo futuro un papel de importancia. Segun las relaciones de los Indios pescadores de esa costa, ahora 15 ó 20 años, la superficie de la isla era una roca completamente limpia en donde no descansaba ningun pájaro. Al presente ha cambiado de aspecto; el abono se empieza á acumular, la frecuentan muchas aves huaneras, y la vasta área de este sitio antes desierto y silencioso es sin dudarlo el centro de nuevos depósitos de huano preparados por la Providencia á las generaciones venideras.

*Islas del Ferrol.*

Hállanse á 9° 7′ lat. S. las islas de que nos ocupamos; no tienen huano, y la mayor parte del que en la costa opuesta se divisa en una gran barranca, es de lobo. A los dos lados de este, sin embargo, hay algun huano que parece de pájaros; el depósito es de forma triangular, y puede valuarse el contenido en sesenta y un mil cuatrocientas varas cúbicas (varas cúbicas 61,400).

*Isla de San Martin.*

Tambien se llama de Donna María, la Isla de San Martin, sita á 11° 4′ lat. S., frente al pueblo de Bégueta, en la Provincia de Chancay.

El año de 1821 se estableció en ella un hospital en donde se medicinaban los enfermos del ejército libertador que, al mando del Jeneral San Martin, desembarcó en las playas de Huacho. En aquel tiempo el suelo de la isla estaba limpio, como el de la de Santa; mas á la fecha es el albergue de innumerables pájaros, y ya contiene acumulaciones de huano blanco, que suele estraerse por los naturales de la costa.

*Marzoque.*

Muy rudamente se levanta sobre la superficie del mar hasta la altura de 150 varas, la Isla de Marzoque, situada entre los 11° 25′ lat. S. La base es una roca primitiva de difícil acceso, y que no es posible dominar sin esponerse á grandes riesgos. Aunque Marzoque es hoy dia el concurso de numerosos pájaros, no tiene considerables depósitos de huano, y á juzgar por su estructura, parece que en ningun tiempo ha de admitir acumulaciones de importancia. Los Indios de Huacho hacen en este sitio copiosas cazas de piqueros.

*El Pelado.*

Bajo la forma de una mesa gigántica, y hasta la altura de 200 varas, se eleva cási perpendicularmente la roca de El Pelado, cinco millas al

S. O. de la isla anterior. Su color blanco y estructura especial, hacen que, á lo lejos, se tome muchas veces por un buque á la vela, especialmente cuando está despejado el horizonte. Tiéne muy poco huano; pero como allí abundan los pájaros que lo producen, es visitada con frecuencia por pescadores de Huacho, los que consiguen dominarla con auxilio de cuerdas para llenar sus canoas de piqueros, huanaes y huevos que recojen en grandes porciones, y ofrecen al consumo en su distrito, en el Callao y Lima.

Segun las relaciones que ellos mismos, dice Mr. Carter, le hicieron, consumen mas de veinticuatro mil pájaros huaneros cada año, y como doce mil huevos; por donde puede concebirse hasta qué punto destruyen unos animales que por tantas razones debian conservarse.

### *Islas de Pescadores.*

Mas bien que verdaderas islas, son rocas esparcidas en el mar los puntos que llevan este nombre, situados entre los 11° 46′ S. El huano que contienen es poquísimo, de color blanco-puerco y de reciente formacion. Siendo su área muy corta, no brindan con depósitos de codicia, aunque los pájaros que las frecuentan son infinitos y variados. Lo mismo que se ha dicho de estas islas puede decirse de las Islas de Ancon.

### *Las Hormigas.*

Una isla chica rodeada en todas direcciones de arrecifes, forma á los 11° 56′ S., el conjunto llamado "Las Hormigas." Sobre el asiento principal hay algun huano; mas no permitiendo los bajos aproximarse en embarcaciones de quilla, no pudo saltar á tierra Mr. Carter, no obstante que vió allí muchos Indios que cazaban los pájaros huaneros, y que habian logrado este triunfo á merced de la construccion especial de sus canoas. Las Hormigas forman los últimos depósitos de huano en la parte del norte; y á fin de dar aproximadamente el resumen de todos los medidos en ella, vamos á reunir los productos parciales:

| Depósitos. | Varas Cúbicas. | Toneladas. |
|---|---|---|
| Lobos de Tierra .. .. .. | 953,716 | 476,858 |
| Lobos de Fuera .. .. .. | 531,436 | 265,718 |
| Guañape .. .. .. .. | 159,620 | 79,810 |
| Ferrol .. .. .. .. | 61,400 | 30,700 |
| Totales .. .. | 1,706,172 | 853,086 |

De las operaciones anteriores resulta que el huano acumulado en los de depósitos del norte reconocidos hasta el dia, sube á ochocientas cincuenta y tres mil ochenta y seis toneladas (853,086).

Pasando ahora á reunir todos los productos hallados, tendremos el siguiente:

*Cuadro General.*

| Secciones. | Huaneras. | Varas Cúbicas. | Toneladas. | Totales. |
|---|---|---|---|---|
| Sur .. .. | Chipana .. .. .. | 561,204 | 280,602 | |
| | Huanillos .. .. .. | 3,825,010 | 1,612,505 | |
| | Punta de Lobos .. .. | 2,921,580 | 1,460,790 | |
| | Pabellon de Pica .. .. | 5,950,000 | 2,975,000 | |
| | Puerto Inglés . .. .. | 2,585,020 | 1,292,510 | |
| | | | | 7,921,407 |
| | *Islas de Chincha.* | | | |
| Centro .. | Isla del Norte .. .. | 15,200,000 | 7,600,000 | |
| | Isla del Medio .. .. | 12,900,000 | 6,450.000 | |
| | Isla del Sur .. .. | 8,400,000 | 4,200,000 | |
| | | | | 18,250,000 |
| | *Lobos de Tierra.* | | | |
| Norte.. .. | Isla Principal .. .. | 150,900 | 75,450 | |
| | Punta Corcobada .. .. | 224,760 | 112,380 | |
| | Isla Bermeja .. .. | 317,556 | 158,778 | |
| | Felix Gonzalez .. .. | 26,200 | 13,100 | |
| | Isla Colorada .. .. | 236,300 | 118,150 | |
| | | | | 476,858 |
| | Lobos de Fuera .. .. | 531,436 | 265,718 | |
| | Guañape .. .. .. | 159,620 | 79,810 | |
| | Ferrol .. .. .. | 61,400 | 30,700 | 376,228 |
| 3 | 16 | 54,050,986 | 27,024,493 | 27,024,493 |

Por donde se encuentra que las tres secciones en que hemos dividido las huaneras de la República constan de diez y seis depósitos principales que encierran vêintisiete millones veinticuatro mil cuatrocientas noventa y tres toneladas, segun las juiciosas mediciones hechas por los encargados del Gobierno.

Simplificando ahora el cuadro anterior encontramos el siguiente :—

*Resumen.*

| Secciones. | Huaneras. | Toneladas. | Totales. |
|---|---|---|---|
| Sur .. .. | Chipana .. .. .. .. | 280,602 | |
| | Huanillos .. .. .. .. | 1,612,505 | |
| | Punta de Lobos .. .. .. | 1,460,790 | |
| | Pabellon de Pica .. .. .. | 2,975,000 | |
| | Puerto Inglés .. .. .. | 1,292,510 | |
| | | | 7,621,407 |
| Centro .. .. | Isla del Norte .. .. .. | 7,600.000 | |
| | Isla del Medio .. .. .. | 6,450,000 | |
| | Isla del Sur .. .. .. .. | 4,200,000 | |
| | | | 18,250,000 |
| Norte .. .. | Lobos de Tierra .. .. .. | 476,858 | |
| | Lobos de Fuera .. .. .. | 265,718 | |
| | Guañape .. .. .. .. | 79,810 | |
| | Ferrol .. .. .. .. | 30,700 | 854,086 |
| 3 | 12 | 27,024,493 | 27,024,493 |

### *Descubrimientos Posteriores.*

Por inmensa que sea la cantidad de huano que aparece en los depósitos descritos, ella está muy distante, sin embargo, de representar todo el abono existente en el pais, pues sin contar con los lugares que no se han visitado en el mar, por la dificultad de su acceso, hay fundadas razones para creer que las Huaneras subterraneas de Iquique y los sitios cubiertos de arena en la Punta de Lobos del sur encierran porciones gigantescas. Ademas de estas, la prensa y documentos oficiales acaban de revelarnos la existencia de otros nuevos depósitos tan ricos como los de Chincha, ignorados por la generalidad y denunciados al Gobierno por D. Gerónimo Fernandez.

(Translation.)

### *Considerations upon Guano.*

THE second edition of the "Considerations upon Guano," which is now in the press, is due to the patriotic zeal with which the worthy Señor General who holds the Department of Finance favours and promotes whatever can contribute in any way to the prosperity of the country, and to the very great kindness with which he regards our literary attempts. The object of this work is to bring together under one cover all the documents of importance having reference to the manure which so powerfully augments the national treasury; and as it contains new investigations and new data which are unknown to the public, we are of opinion that the insertion of some extracts in the columns of this paper will be favourably received.*

I.

Nature of Guano—Probable time necessary for the formation of the Chincha Islands—Birds which produce Guano—Destruction of these birds by the Indians—System which the Indians observe in doing this—Causes of the superiority of Peruvian Guano over other known Guanos—New applications of Guano.

Before the nature of guano was sufficiently known among us, it was believed by some, that this substance was of mineral origin, and consequently inexhaustible; but after attentive observation and scientific research, this idea cannot be entertained under any point of view.

That guano is a production of the excrement of maritime birds may be proved in two ways: by physical facts which immediately act upon the senses, and by analytic processes.

If we occupy ourselves with the former, we find that the accumulations of guano are never found in lands of the interior, but on the coast lands, and most commonly on the sea; a phenomenon not observed with mines, which are spread about in different parts, as is known to all. We observe, too, that at the bottom of the thick layers of this manure, there are constantly found skeletons of birds and fishes, eggs, and other organic matters, wholly or partially pulverized; that the layers of common guano alternate with layers of lobo [seal] guano, which proves that the islands have simultaneously or alternately been covered with different animals; and, finally, that we now see guano upon bare rocks where formerly there was not the remotest trace of any. The Isle of Santa, situated in 9° 11′ south latitude, was completely bare fifteen or twenty years ago, according to the report which the inhabitants of the adjacent coasts made to Mr. Carter, and now it contains some tons of it. That of St. Martin, which rises in 14° 4′ south latitude, within sight of the village of Bégueta in the Province of Chancay, was the locality of an extensive hospital where the sick men of the liberating army in 1821 were attended; it then contained no guano, but it has a small quantity now. We may add to all those proofs the popular opinion of the natives, who, judging of the subject without being under the influences of prejudices engendered by systems,

* The classification of the guano-producing birds is due to the kindness of Señor Raimondi, Professor of Natural History in the College of Independence.

have attributed an animal origin to the substance which fertilizes their lands. Nor could it be otherwise, since they see immense flocks of birds of various kinds accumulating their excretions in the islands in a way that at a distance look like "new mountains," according to the expression of Garcilaso; excretions which, being first white, changed colour while he looked at them, in consequence of the fermentation of their component parts, and the action of external agents. If, on looking at the enormous masses of the Chincha Islands, it seems difficult to conceive how they could have been formed out of matters so small in appearance, it will admit of satisfactory explanation by attending to the following computation of Señor Rivero:

"Supposing," he says, "that these deposits comprise 18,000,000 tons, weighing 360,000,000 quintals, this gives us a weight of 566,000,000,000 of ounces. Well, then, it is no exaggeration to admit that each bird deposits one ounce of excrement every day. From the deluge until now there are elapsed about 6000 years, or what amounts to the same, 2,190,000 days. Dividing the number of ounces by the number of days, we shall find that the quantity of 274,000 birds, living constantly in those places, will be sufficient for the astounding masses of Chincha." And in fact this quantity is under every point of view moderate, if it is considered that the flocks of these creatures are so numerous and so large, that even now, disturbed as they are by reason of traffic, it is incredible to those who have not seen them, to use the phrase of the Inca historian.

But the authority of chemistry definitively resolves the question of the nature of this manure. All the analyses made of it give, as it has been shown, free uric acid, urates, phosphates, carbonates, phosphate of ammonia, and other results, which like them are eminently animal; and although sand is also found among these matters, its presence is explained by the consideration that birds swallow it with their food, and that, not being digestible, it passes off enveloped in fæces.

Among the different species of birds which cover the guano-deposits and the adjoining reefs, among those enormous flocks which obscure the sun, besides the aninghas, zarcillos, niños, and ravens, the most remarkable are the piqueros, pelicans, aradores, marine geese, gulls, and puffins; creatures of various families, which, by the important service they render to the country, deserve to be made known by our dedicating a few lines to them.

Piqueros (*Sula*). These birds are called "locos" [boobies], from their remarkable stupidity, and the great facility with which they allow themselves to be caught. They very rarely swim, and they walk so ill, that they require the aid of the strong feathers of their tails to keep themselves up. They are continually flying at an inconsiderable height above the waves, and when they perceive a fish they dart down upon it like an arrow, and give chase in an instant. But they do not always succeed in retaining the fruit of their extraordinary agility: their cowardice and stupidity make them a prey to the powerful man-of-war bird, and to other birds, which strike them with their wings and pierce them with their beaks to make them disgorge the prey, which they afterwards swallow themselves. The piqueros make their nests in very large companies, and their young remain for some time covered with a silky and whitish skin.

Pelicans (*Pelicanus*). The pelican of the guano-deposits of Peru is the pelican of the ancients, the symbol of maternal love, and which is said to have fed its young with blood drawn from its own breast, when it had no other food to offer them. The idea we have now of this bird is very different: for cool observation has shown that, like many public men, the pelican had unfairly obtained its reputation. The pretended tenderness of the pelican is a vice opposite to that virtue, by which vice it is so far governed that it leaves its young with perfect indifference to any one that will take them. But if poetry has lost by our obtaining a real knowledge of pelicans, industry gains something from them which they had never furnished before. Having the stature of the swan, and being provided with magnificent and powerful wings, they fly to perfection, and, like the piqueros, catch fish within comparable swiftness. The Chinese avail themselves of these qualities, and of the peculiar conformation of the bird. After

having tamed them, they put a ring round their necks, and send them to fish; the bird in a very short time fills the immense pouch which it has under the beak; and being unable to swallow the fish which it has caught, it places them at the disposal of its owner.

Aradores (*Rinchops nigra*). Very remarkable for the structure of its beak, which is a good deal like a pair of scissors. These birds may be called, from their mode of living, the slaves of the sea; being prevented by their conformation from seizing fish like the preceding birds, they are compelled, in order to get food, to fly with the lower part of the beak under water, like the ploughshare as it breaks up the clods. The wretched aradores may be called lucky, when after obtaining their food with great fatigue, they do not find themselves compelled to give it up to the violence of the more powerful birds, in the same way that the unhappy men who earn the produce of the land by their labour and sweat, yield it up to be consumed by their inhuman oppressors.

The aradores inhabit the tropical regions, and especially South America; they have large wings, but they have a short flight, and never go far from the coast.

Marine Geese (*Carbo Gaimardi*). The marine geese are distinguished as excellent divers; their voracity is equal to that of the pelican, and when they are satiated, they rest upon some high point during the whole time of digestion. It is wonderful to see, from the summit of the rocks, the incredible velocity with which the marine geese follow their prey under water.

Gulls (*Larus.*) The gulls may be called sea vultures, for they are destined to clear the rocks and the waters from all the organic remains which they contain. Fish and flesh just killed or in a state of putrefaction, shells, spines, bones, everything suits their voracity, all is digested and consumed in their powerful stomach. With a sanguinary and at the same time cowardly disposition, they avoid strong birds and oppress weak ones; they have frequent quarrels amongst themselves to snatch their prey from each other; and "when they are in captivity, their temper becomes so bad that they beat each other without apparent motive, and the first that loses blood becomes the unhappy victim of the others, who are not satisfied until they have torn in pieces the object of their unreasonable attacks." Gulls are found in large flocks on the shores; they swim perfectly, and fly so well that it is not uncommon to meet with them more than 100 leagues from land.

Puffins (*Puffinaria Garnoti*). These birds are found in large bodies on all the Peruvian coast-line, and they are the most copious producers of guano; they make their nests in caverns formed between the accumulations of this manure, and procreate abundantly.

Besides the species above mentioned, there are many others which concur to increase the riches of these islands; but as it is not our object to write the maritime ornithology of the country, we shall conclude this subject by some observations which we think of general interest.

The major part of the birds which produce guano furnish our natives with a valued article of food in their flesh. Nothing is more common in our ports than to see canoes loaded with piqueros, puffins, huanaes, and eggs, intended for daily consumption, and displayed in the public markets. The fondness for this kind of food overcomes the decrees which prohibit its use, and as the chase is constantly going on, we are of opinion that the Government ought to take measures to put an end to it, so that we may not imitate the savage who cuts down the tree to gather the fruit, nor stop at its source the fountain from which our treasury now draws its principle of life. Although guano was not for the aborigines so important an article as it is now for us, they took precautions for its preservation and employment, which, when freed from the barbarism appertaining to the time of the Incas, are under every point of view deserving our meditation and study. "There was then such vigilance in preserving the guano-producing birds," says the author of the 'Commentarios Reales,' "that during breeding-time no one was allowed to enter the islands on pain of death, that they should not be alarmed and driven from their nests. And it was not lawful to kill them at any time, either in or out of the islands, under the same penalty."

With regard to the distribution of the article, they adopted rules equally severe, but which would not be fitted for the present state of things.

Almost all the birds of which we have given an account are cosmopolitan, and have formed great deposits of guano in different parts of the world; guano that should by the identity of origin, retain the same fertilizing properties in all latitudes; but the Supreme Being, not satisfied with the manures which he has spread over our country, when he gave us guano, gave us also a privilege which enhanced its value. The enormous accumulations existing in Patagonia and Africa serve with difficulty for the uses of agriculture, because the copious rains which fall on them dissolve their principal ingredients, and the ammoniacal and other salts almost all disappear, leaving the calcareous and earthy bases predominant in the manure. This is not the case under the serene sky of Peru, where there reigns a perpetual spring, which, preserving the manure in its natural strength, makes it under all circumstances yield to the field those principles of fertility and abundance which it contains naturally. For these reasons the guano of our coasts is preferred in every market to which it is carried; and until the laws of nature be changed, it will continue always to be superior to all other known guanos.

It is true, that notwithstanding its productive power, the application of guano both here and in Europe, is almost wholly limited to cereal grains; for the natives, from the time of the Incas, reserve it for maize, wheat, and occasionally for quinua; and European farmers are careful not to use it for tubers and roots, because it communicates to them an odour which is very far from agreeable; but as industry always aspires to bear down the barriers which oppose its triumphal course, it appears that the horizon now offers new prospects for guano.

According to intelligence transmitted to Government by our Chargé d'Affaires in London, it is proposed in that great metropolis, to prepare guano with sulphuric acid, and to use it instead of superphosphate of lime, which has hitherto been used exclusively for turnips and other roots; a substitution which will, if successful, increase the demand for this manure to an indefinite extent. The prospects of guano in this way become every day more promising, and we require only prudence, in order to enjoy for an unlimited period the additional revenue which is so liberally offered to us.

## I.

Locality and Character of the Guano-Deposits—Division—Guano-Deposits of the South—Chipana—Huanillos—Punta de Lobos—Pabellon de Pica—Puerto Ingles—Islands of Iquique and Patillos—Punta Grande—Other Deposits—Summary.

### *Locality and Character of the Guano-Deposits.*

From 6° to 21° 2′ of south latitude, the point at which the Rio Loa enters the Pacific, almost the whole of the sea-board, and part of our coast, affords deposits of guano remarkable for its good quality, its prodigious abundance, and for the great wealth which it promises.

The foundations of the islands and hollows on which it is accumulated are commonly primitive rock, and we see in them amphibolic granites, mica, gneiss, and other quartzose and feldspathic beds. The guano is usually disposed in layers more or less thick, of a horizontal direction; but in some cases they are so inclined as to be nearly vertical—a phenomenon which, like that of undulating strata, induces a belief that the ground on which they are laid has suffered subterranean perturbations since it was deposited.

As it is observed in some of these deposits that the guano is covered with masses of alluvial matter from one to three yards in thickness, having impressions of marine shells, which masses have on them other layers of guano covered by still more elevated sands, it must necessarily be supposed that the age of those deposits is anterior to the deluge, or to some partial floods and disturbances which the globe has obviously suffered.

Our guano-deposits are for the most part covered by a superior crust

of mechanical formation, which is usually from four to six inches in thickness, but may reach to three or four feet—a crust called by the natives *caliche*, and composed of salts and sand. Although it is not known what effect this substance would have if applied to vegetation, it is probable that it abounds in ammonia, arising from the emanations which it receives; and it is so intimately connected with the guano, that it may well be said the relation between them is that of cause and effect; because, although caliche may not always be found in the deposits, yet in every case caliche is an infallible sign of the existence of this manure.

The colour of the guano in the deposits varies from white to a glowing red, and it passes through the intermediate gradations of bright, dark, and blackish, the latter being mingled with the guano of seals [lobos], which is of little use in agriculture.

It appears that the specific gravity of guano is in the direct ratio of its colour and quality, because the dark ash-colour and the red are observed to be heavier than the others. For this reason, it is exceedingly difficult to find the weight of a cubic yard of guano of different colours. In the experiments which have been made it fluctuates between 12 and 16 quintals, so that it has been agreed upon to assign to it the weight of half a ton (10 quintals).

These general observations comprehend all the guano-deposits of the country, and they embrace everything which is remarkable in its geographical or geological character. The matter being the same, and the sources of its origin almost identical, the soil and exterior agencies do but slightly modify it, for which reason its essential features are the same in every locality, and under all circumstances.

## II.

### *Division.*

In order to facilitate the study of the guano-deposits, it is convenient to divide them into three great sections:—one of the south, which includes those situated between the boundary of Bolivia and Acari; another of the centre, comprising those which lie between the latter port and Callao; and finally, that of the north, formed of the rest of the Republic. We will endeavour to make them known in their order as rapidly as can be done.

### Guano-Deposits of the South.

#### *Chipana.*

The deposit of this name is situated in 21° 22′ south latitude, and consists of a flat of from twenty-five to thirty yards above the level of the sea. In its greatest dimensions it measures 357 yards long and 130 broad, giving a superficial area of 46,767 square yards.

#### *Huanillos.*

This deposit is in 21° 18′ south latitude. It forms a promontory in the direction of north-east and south-west, and contains four reefs (quebradas), on which the guano is accumulated. Its superficial extent amounts to 158,242 square yards, and the total number of cubic yards of manure is 3,825,010.

#### *Punta de Lobos.*

This is the name of a long point in 21° 6′ south latitude, upon a foundation of mica-schist and granite; it is composed of hollows and broken ground (barrancos y quebradas), where the guano is found, forming layers whose mean thickness is from fifteen to twenty yards, the total length of the ground being 640 yards. Its superficial contents are 138,579 square yards, and the number of cubic yards reaches to 2,921,580.

### *Pabellon de Pica.*

Its bell-shape, and its vicinity to the village of Pica, have given this name to the hill of which we now speak. Its locality is in 20° 57′ south latitude; it is composed of primitive rock at the base, and of sandy clay on the summit. The guano of this deposit is found in masses of variable height, measuring superficially 240,801 square yards, and its contents in cubic yards are 5,950,000.

### *Puerto Ingles.*

Puerto Ingles is little more than a quarter of a mile from the Pabellon, on a small peninsula, which, according to the appearances of the isthmus, may have been an island at no very remote period. The guano on this spot forms an eminence of 572 yards long, with a breadth varying from 150 to 300 yards, the superficial measurement being 129,251 square yards. Taking these data into consideration with the mean height of the deposit, we may admit the existence here of 2,585,020 cubic yards of guano.

### *Islands of Iquique and Patillos.*

To the northward of the Pabellon and of Puerto Ingles, under 20° 46′ of south latitude, are the Islands of Patillos and of Iquique, in the bay of the latter name. Both have been important deposits of guano in past ages, but being now exhausted, they contain only the small quantities arising from the daily excretions of the birds. Notwithstanding the small amount of the new accumulations, the neighbouring farmers take the whole of it away periodically; and as they by so doing prevent the regeneration of certain deposits, which for more than 200 years have satisfied the wants of a great part of the country, it would be desirable to prohibit access to these islands, and to the other little isles on the coast which are in similar circumstances, in order that the birds may have full liberty to frequent them, and that a new store may be laid up for future occasions.

### *Punta Grande.*

A promontory situated in 20° 23′ south latitude, about four leagues from Iquique, is called Punta Grande; and the guano which it contains is in different divisions (quebradas) looking towards the sea. The nucleus of this ground is composed of quartz, traversed by some veins of feldspar, more or less compact, and is covered by a superior layer of calcareous nature.

Punta Grande being situated close to the Morro de Tarapacá, which is a sort of sandy hill, the guano found there is covered by such thick layers of sand, that it is necessary to make considerable excavations to get at it; for which reasons, these are called subterranean deposits; and it is consequently extremely difficult to calculate the quantity of manure they contain. But notwithstanding what we have just stated, those who are acquainted with them agree that it may amount to a high figure. There are several reasons to suppose that these different deposits have been worked from the time of the Incas; and notwithstanding the immense quantities which have continued to this day to be taken out of them, there are some that are even now untouched. The quality of this guano is the average, and in respect to colour, the red and ashy predominate.

### *Other Deposits.*

In addition to the deposits described on the passage from Iquique to Punta Grande, and in Pisagua, an inlet situated to the northward of the further point, there are small accumulations of white and fresh guano upon several rocky places, some of which are worked for the uses of the coast. There are also spots which are the private property of individuals; but in all these places the annual produce of the manure is so small that it does not require an especial mention.

*Summary.*

Putting together the data laid down in treating of the deposits of the south, we find [15,]842,814 cubic yards of guano, or, what comes to the same thing, 7,921,407 tons, as will be seen in the following statement:

| Deposits. | Cubic Yards. | Tons. |
|---|---|---|
| Chipana .. .. .. .. | 561,204 | 280,602 |
| Huanillos .. .. .. .. | 3,825,010 | 1,615,505 |
| Punta de Lobos .. .. .. | 2,921,580 | 1,460,790 |
| Pabellon de Pica .. .. .. | 5,950,020 | 2,975,000 |
| Puerto Inglés .. .. .. | 2,585,020 | 1,292,510 |
| Total .. .. .. | 15,842,814 | 7,921,407 |

## II.

Deposits of the Centre—Islands of Chincha—Deposits of the North—Lobos de Tierra—Principal Island—Punta Corcobada—Isla Bermeja—Felix Gonzalez—Isla Colorada—Lobos de Fuera—Isles of Guañape—Isles of Malabrigo—Isle of Santa—Islands of Ferrol—Island of St. Martin—Marzoque—El Pelado—The Pescadores—The Hormigas—General view—Summary—Former discoveries.

### Guano-Deposits of the Centre.

The three magnificent deposits formed by the Chincha Islands, in 13° 32′ south latitude, that is to say, at 12 miles from Pisco, in the direction of north to south, may be said to constitute by themselves the deposits of the centre; because, although between the Morros de Carretas and Viejas, and on the Islets of Ballesta, there is also some manure found, yet besides being placed in hollows, which are clearly inaccessible, it is calculated that it can barely amount to 30,000 tons.

As none of us are ignorant that the Chincha Islands form the principal wealth of Peru; that they are the sources of the guano which is furnished to foreign markets; and that the accumulations formed in them are larger than those of all our other deposits united; we think ourselves justified, in describing them, to advance somewhat beyond the limits which the nature of our work points out to us.

The appearance of these islands differs but little in regard to their general features, if they are compared to each other; their mass rises gradually from the edges to the top, and may be of about the mean height of 110 yards each. Their geological formation is a well-characterized granite; the guano is found deposited in parallel beds, sometimes undulating, and the principal colours in it are dark grey, light grey, ashy grey, a dirty white, and lastly red; which colours do not appear to me to affect the quality of the guano, because the same fertilizing power is observed under them all.

Although nearly all guano-deposits are covered by the mechanical crust called "caliche;" those of Chincha form an exception to the general rule: the guano is found pure from the surface, and the thousands of birds which produce these mines of wealth build their nests in excavations which they make in it.

*Measurements.*

The deposits in question were measured in 1842 by Señor Don José Villa, and four years after by Señor Rivero, of whom we have already spoken. The former made the amount to be 50,000,000 tons; the latter abated two-thirds of this quantity; and in order to explain the enormous discrepancy found in the two calculations, he says:

"The mean height of the islands in the outer border is ten yards, the parts more distant from it are twenty, and in the central parts only is the guano found to be forty yards deep. Señor Villa thought that the sum of all the successive workings up to the principal cutting was forty yards, whereas it was not more than fifteen; to this sum he added forty more for the principal cutting; a very grave error, because in order to admit it as a datum in any way probable, this central cutting must have extended uniformly to the edge, making the guano there eighty yards in height. And not even satisfied with this excess, he added that there were depths still more considerable, so that in his judgment the guano must have been one hundred yards deep or more, though the islands are barely so high above the surface of the sea. Observe also that with regard to the superficial amount, it was impossible for him to approximate to the truth, because the method which he employed is not susceptible of satisfactory results."

After having justified himself in these terms, and observing that at the foot of the deepest cutting of guano he made an excavation which showed the solid rock at a depth of three yards, he goes on to give an account of the plan which he followed for his topographical operations, and after making proper deductions of the produce, gives us the following results as approximative:

| Islands. | Cubic Yards. | Tons. |
|---|---|---|
| Islands of the North .. .. .. | 15,200,000 | 7,600,000 |
| Islands of the Centre .. .. | 12,900,000 | 6,450,000 |
| Islands of the South .. .. | 8,400,000 | 4,200,000 |
| Total .. .. .. | 36,500,000 | 18,250,000 |

Whence it appears that the Chincha Islands contain 18,250,000 tons of guano, according to the measurement which we are entitled to consider most reasonable.

## III.

### Deposits of the North.

This section is without doubt inferior to those which we have described, because, as it is chiefly composed of small and low islands, beaten by the winds in every direction, the quantity of manure they contain is in general of little thickness, and is frequently mixed with sand.

In the present state of the deposits of the north, they are barely sufficient to answer the demands of foreign consumption for one year: but if it be considered that their pure guano is of excellent quality, and that they are now the habitat of those immense clouds of birds which, disturbed by the operations of trade, are driven from the south and centre, and have taken refuge within their solitary boundaries, this part of our shore promises immense results for the future, as being called upon to renew the streams of public wealth, when the sources which now produce it shall be exhausted.

Four principal divisions may be established of the islands treated in this chapter, and considering them according to their respective importance, the first place is occupied by those called

### *Lobos de Tierra.*

Thirty-five miles south-west of Lambayeque, or, what amounts to the same thing, in 5° 6′ 30″ south latitude, are the Islands of Lobos de Tierra, a sort of group composed of one principal island (Lobos de Tierra, properly so called), three small islands, and several adjacent rocks.

### *Principal Island.*

This deposit extends in the form of an immense oval, much compressed towards the centre and north. The guano does not cover equally the surface of the ground, which is interrupted by peaks and hollows but is found only at the bottom of the latter and on the salient promontories.

Adding together partial quantities which are found in the superior gorge, on Punta Colorada, and on another point opposite the Island of Felix Gonzalez, the approximate result is 150,200 cubic yards of guano, of a red and dark ash colour, which may contain some admixture of seal (lobo) guano.

### *Punta Corcobada.*

A lofty promontory which forms an integral portion of the preceding island bears the name of Punta Corcobada (crooked), from its particular shape. Its extremely irregular surface abounds in a whitish guano which appears newly formed; it is not very thick, but to judge from its appearance, its quality is the best possible. This locality, by its structure, favours the accumulation of guano, and as it is also protected by the course of the winds, and as the gathering of birds is greater there than at any other part of the section under consideration, there is every reason to hope that in time it will become an important source of revenue.

The superficial extent of the Punta reaches 113,940 square yards, and the operations of measurement effected there give a result of 224,760 cubic yards of guano.

### *Isla Bermeja.*

The Isla Bermeja, which is shaped like a spatula, is more than 300 yards west of the large island, and is connected with it by reefs of rocks which are covered at high tide. Its greatest length is 495 yards, its breadth 220, and it is 30 to 35 yards in height. The abundant guano which is found here is of superior quality, and on its surface we see the crust of saltpetre, which is so common in the guano-deposits of the south.

The area of the Isla Bermeja is 52,926 square yards; the greatest depth is 36 feet, and the amount of cubic yards upon it is 317,556.

### *Felix Gonzalez.*

Felix Gonzalez is about a mile to the south-west of Punta Corcobada; it is 90 yards long, 70 broad, and 15 of elevation above the sea-level. The guano upon it is of superior quality; the thickness of the portion accumulated is of four or five yards, its area is 6,550 square yards, and the whole contents 26,200 cubic yards.

### *Isla Colorada.*

This island is south-east from the principal island. It measures 336 yards in length and 180 in breadth, and its greatest height has been calculated at 25 or 30 yards above the sea-level. The primitive rock of which it is composed is covered entirely with guano, and its maximum of thickness found by excavation is 39 feet.

Although the predominant colour of the manure is red, as it might be expected from the name of the island, the interior layers are grey and also ash-coloured, impregnated with a strong smell of ammonia.

The island at this time is the centre of an immense concourse of birds, which build their nests both on the surface and in hollows formed within

it. Its superficial extent is 31,510 square yards, and the contents of the guano 236,300 cubic yards. About 600 tons of guano have been taken from this island.

Adding up now the result of all the measurements made in the present section, we shall have the guano contained in the Lobos de Tierra :

| Deposits. | Cubic Yards. | Tons. |
|---|---|---|
| Isla Principal .. .. .. | 150,900 | 75,450 |
| Punta Corcobada .. .. .. | 224,760 | 112,380 |
| Isla Bermeja .. .. .. | 317,556 | 158,778 |
| Felix Gonzalez .. .. .. | 26,200 | 13,100 |
| Isla Colorada .. .. .. | 236,300 | 118,115 |
| Total .. .. .. | 955,716 | 477,850 |

### *Lobos de Fuera.*

The name of "Lobos de Fuera" designates two islands situated in 7° 3′ south latitude, and separated from each other by a channel, the breadth of which does not exceed forty yards, the direction of which is north-east and south-east (?). The foundation of these islands is slate, the surface very irregular, and the guano which they contain is abundant, though it appears mixed with seals' guano, because these animals (lobos) abound there. The birds dwelling there are very numerous; and among them the piqueros predominate.

The northernmost island not having been found accessible, the Government surveyor was only able to examine the southern island. The result of his calculation is, that it has an area of 292,380 yards square, and a volume of guano which reaches 531,436 cubic yards.

### *Islands of Guañape.*

These are two islands situated in 8° 36′ south latitude, about five miles from the coast. The foundation of both is granite, and the largest rises perpendicularly from the sea to the height of 175 yards. The guano found is in the northernmost island, and as it is of a pyramidal shape, whenever the wind blows, it falls into the water in considerable quantities. Notwithstanding these periodical losses, it is calculated that in 75,780 square yards of area there are 159,620 cubic yards of guano.

### *Islands of Malabrigo.*

These islands are situated in 7° 48′ south latitude, and there are considerable quantities of guano upon them; but they could not be surveyed in consequence of obstacles produced by bad weather.

### *Island of Santa.*

The Island of Santa is found in 9° 11′ south latitude, and it possesses but a few tons of guano of very recent formation. But if under this point of view it is not interesting now, it appears that an important part is reserved for it at a future time. According to the reports of the Indian fishermen on this coast, about fifteen or twenty years ago the surface of this island was a perfectly bare rock, on which not a single bird rested. Its aspect is now no longer the same; the manure begins to accumulate;

it is frequented by many guano-producing birds; and this vast area, formerly silent and deserted, is now without doubt the centre of new deposits of guano, prepared by Providence for future generations.

### *Islands of Ferrol.*

The islands we now treat of are situated in 9° 7′ south latitude. They have no guano, and the greatest portion of what may be seen in a large hollow on the opposite coast is seals' guano. Nevertheless, there is some on both sides of the latter which looks like birds' guano; the deposit is of a triangular form, and the solid contents may be estimated at 61,400 cubic yards.

### *Island of St. Martin.*

The Island of Martin, called also Donna Maria, is in 11° 4′ south latitude, opposite the village of Begueta, in the Province of Chancay.

In the year 1821 an hospital was established upon it for the treatment of the soldiers of the liberating army which landed on the shores of Huacho, under the command of General San Martin. At that time the surface of the island was bare like that of the Island of Santa. But it is now the habitat of innumerable birds, and it already contains accumulations of white guano, which are commonly taken away by the natives of the coast.

### *Marzoque.*

The Island of Marzoque, situated in 11° 25′ south latitude, rises very ruggedly from the surface of the sea to the height of 150 yards. Its base is a primitive rock of difficult access, which it is not possible to overcome without exposure to great risks. Although Marzoque is now the dwelling of numerous birds, it has no considerable deposit of guano; and to judge from its structure, it seems that it could not any time have possessed any accumulation of importance. The Indians of Huacho catch a great many piqueros on this spot.

### *El Pelado.*

The Pelado rock rises almost perpendicularly in the shape of a gigantic table, to the height of 200 yards, five miles to the south-west of the former island. Its white colour and peculiar form often cause it to be mistaken at a distance for a ship sailing, particularly when the horizon is clear. It contains very little guano; but as the birds which produce it abound there, it is frequently visited by the fishermen of Huacho, who contrive to get upon it by the aid of ropes, and fill their canoes with piqueros, huanaes, and eggs, which they gather in large quantities and sell for consumption in their district, in Callao, and in Lima.

Mr. Carter says that according to the information they themselves gave him, they consume about 24,000 birds every year, and about 12,000 eggs; from which it may be imagined to what a degree they destroy creatures which, for so many reasons, ought to be preserved.

### *Islands of Pescadores.*

The peaks which bear this name, situated in 11° 46′ south latitude, are rocks spread about in the sea rather than real islands. They contain very little guano, of a dirty white colour, and of recent formation. Being of very limited area, they have no valuable deposits, although the birds which frequent them are very numerous, and of various sorts. What has been said of these islands may also be said of the Ancon Islands.

### *Las Hormigas.*

A little island, surrounded by reefs in every direction, form the group called Las Hormigas, in latitude 11° 56′ south. There is some guano in the principal place, but the shallows not allowing an approach in keel-boats, Mr. Carter could not leap on shore, although he saw many Indians there catching the guano birds, who had succeeded in landing by the peculiar construction of their canoes. The Hormigas constitute the last deposit of guano on the northern side; and in order to give approximately a summary of all the measurements made in it, we will add together the several products :

| Deposits. | Cubic Yards. | Tons. |
|---|---|---|
| Lobos de Tierra .. .. .. | 953,716 | 476,858 |
| Lobos de Fuera .. .. .. | 531,436 | 265,718 |
| Guañape .. .. .. .. | 159,620 | 79,810 |
| Ferrol .. .. .. .. | 61,400 | 30,700 |
| Total .. .. .... | 1,706,172 | 853,086 |

From the preceding statement it appears that the guano accumulated in the northern deposits hitherto surveyed amounts to 853,086 tons.

And now, proceeding to add together all the totals found, we shall have as follows:—

### *General Statement.*

| Sections. | Deposits. | Cubic Yards. | Tons. | Total. |
|---|---|---|---|---|
| South.. .. | Chipana .. .. .. | 561,204 | 280,602 | |
| | Huanillos .. .. .. | 3,825,010 | 1,612,505 | |
| | Punta de Lobos .. .. | 2,921,580 | 1,460,790 | |
| | Pabellon de Pica .. .. | 5,950,000 | 2,975.000 | |
| | Puerto Inglés .. .. | 2,585,020 | 1,292,510 | |
| | | | | 7,921,407 |
| | *Chincha Islands.* | | | |
| Centre .. | Northern Island .. .. | 15,200,000 | 7,600,000 | |
| | Middle Island .. .. | 12,900.000 | 6,450,000 | |
| | Southern Island .. .. | 8,400,000 | 5,200,000 | |
| | | | | 18,250,000 |
| | *Lobos de Tierra.* | | | |
| North .. | Isla Principal .. .. | 150,900 | 75,450 | |
| | Punta Corcobada .. .. | 224,760 | 112,380 | |
| | Isla Bermeja .. .. | 317,556 | 158,778 | |
| | Felix Gonzalez .. .. | 26,200 | 13,100 | |
| | Isla Colorada .. .. | 236,300 | 118,150 | |
| | | | | 476,858 |
| | Lobos de Fuera .. .. | 531 436 | 265,718 | |
| | Guañape .. .. .. | 159,620 | 79,810 | |
| | Ferrol .. .. .. | 61,400 | 30,700 | 376,228 |
| 3 | 16 . | 54,050,986 | 27,024,493 | 27,024,493 |

From which it is seen that the three sections into which we have divided the guano-deposits of the Republic consist of sixteen principal deposits, which contain 27,024,493 tons, according to the careful measurements made by the persons commissioned by Government.

Simplifying the preceding statement, we have the following

*Summary.*

| Sections. | Deposits. | Tons. | Total. |
|---|---|---|---|
| South .. .. | Chipana .. .. .. .. | 280,602 | |
| | Huanillos .. .. .. .. | 1,612,505 | |
| | Punta de Lobos .. .. .. | 1,460,790 | |
| | Pabellon de Pica .. .. .. | 2,975,050 | |
| | Puerto Inglés .. .. .. .. | 1,292,510 | |
| | | | 7,621,40 |
| Centre .. .. | Northern Island .. .. .. | 7,600,000 | |
| | Middle Island .. .. .. .. | 6,450,000 | |
| | Southern Island .. .. .. | 4,200,000 | |
| | | | 18,250,000 |
| North .. .. | Lobos de Tierra .. .. .. | 476,858 | |
| | Lobos de Fuera .. .. .. | 265,718 | |
| | Guañape .. .. . .. | 70,810 | |
| | Ferrol .. .. .. .. | 30,700 | 854,086 |
| 3 | 12 | 27,024,493 | 27,024,493 |

*Subsequent Discoveries.*

However immense the quantity of guano may be which figures in the deposits above described, it is nevertheless very far from representing all the manure existing in the country; because, without reckoning the places which have not been visited in the sea, from the difficulty of approaching them, there are well-founded reasons to believe that the subterraneous deposits of Iquique, and the places covered with sand on the Punta de Lobos of the south, contain enormous quantities. Besides this, we have recently been informed by the press and by official documents, of the existence of other new deposits, as rich as those of Chincha, unknown to the public, and brought to the notice of Government by Don Geronimo Fernandez.

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No. 34.

*Mr. Clark to the Earl of Malmesbury.—(Received May 7.)*

My Lord, *Dundee, May 6, 1852.*

I AM requested by the meeting of shipowners recently held here to forward the inclosed memorial.

I am, &c.
(Signed) WM. CLARK.

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Inclosure in No. 34.

*Memorial of the Shipowners of Dundee.*

Unto the Right Honourable the Earl of Malmesbury, Her Majesty's Principal Secretary of State for Foreign Affairs.

The Memorial of the Shipowners of Dundee in public meeting assembled,

Humbly showeth,

THAT the memorialists beg most humbly to draw the attention of Her Majesty's Government to the fact, of large quantities of guano having been recently discovered on the Lobos Islands in the Pacific. The

memorialists are of opinion that most important beneficial results will be derived both to the agricultural and shipping interests of this country, by the British Government claiming the right to these islands.

If Her Majesty's Government, however, are of opinion that possession of these islands should not be taken for the British Crown, the memorialists would humbly but confidently trust, that Her Majesty's Government will take immediate steps whereby the rights of British subjects, equally with other nations, shall be maintained and vindicated, and the guano freely procured without restriction; and that no other nation may have the right to exclusive possession of the islands to the prejudice of British commerce.

Looking to the immense advantage to the agriculture of this country by a free importation of guano, and the benefits to be derived by the open competition for British shipping in the trade, the memorialists feel satisfied that the matter has thus only to be brought under the notice of Her Majesty's Government, to insure the adoption of what may be considered necessary to guard and protect British interests at these islands, and to prevent monopoly in the guano on the part of other nations.

May it therefore please Her Majesty's Government to take such steps as may be effectual for this purpose, and the petitioners will ever pray.

Signed in presence and by authority of the meeting,

WM. CLARK, *Chairman.*

*Dundee, May* 5, 1852.

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No. 35.

*Mr. Addington to Mr. Clark and other Dundee Shipowners.*

Gentlemen, *Foreign Office, May* 11, 1852.

I AM directed by the Earl of Malmesbury to acknowledge the receipt of the memorial which you addressed to his Lordship on the 5th instant; and I am to acquaint you in reply, that it appears that the Lobos Islands have been always considered by the Peruvian Government as belonging o Peru, and were surveyed and charted by that Government in 1847, and the quantity and depth of guano mapped for the Government.

I am to add, that whether this gives the Government of Peru a right to the Lobos Islands or not, it is certain that in consequence of the many articles appearing in the public papers, the Peruvian Government have notified their possession of those islands, and that they will resist any attempt upon them.

I am further to state that Her Majesty's Government are not at present prepared to protect British ships which should appropriate the guano on the Lobos Islands.

I have, &c.

(Signed) H. U. ADDINGTON.

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No. 36.

*Mr. Dallas to Mr. Cumming Bruce, M.P.—(Communicated to Mr. Addington by Mr. Cumming Bruce, May* 12.)

Sir, *Inverness, May* 10, 1852.

A PUBLIC meeting of landowners, farmers, merchants, and others, was held in Inverness on Friday, 7th instant, for the purpose of urging upon Her Majesty's Government the necessity of a speedy attention to the very important subject of free and more extended trade in guano.

The Committee appointed for carrying out the views and resolutions of this meeting, beg leave to inclose a copy of the memorial now under signature throughout the Counties of Inverness and Ross, and to request you, as representative of Elgin and Nairn shires, to use your utmost exertions towards the furtherance of this object, so essential to the agricultural and commercial interests of the constituency you represent, and of the public at large.

The Committee would also beg to call your attention to what appears to them a misconception on the part of the Foreign Minister in respect to our claims. The answer of Mr. Addington to the commercial house in Liverpool proceeds upon the grounds that while no claim has as yet been established by any other Government to the possession of these islands, no claim to their peculiar possession can ever be established by Great Britain. It is not the wish, nor would it in fact be to the interest of the petitioners, that any such peculiar claims should be made. The more completely the property of these islands is open to the world, the larger would be the competition, and the lower, in consequence, would be the price. Their object simply is, that until a sufficient claim to ownership of these islands shall be made out, British shippers shall receive the same protection as is afforded to all other branches of our sea-going trade, and that in the event of such a claim being allowed, the Government shall endeavour to secure the benefit of an uninterrupted trade in an article which you will observe has now become of vital importance to the general agriculture of the country.

I have, &c.
(Signed) ALEX. DALLAS,
*General Secretary of Committee.*

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Inclosure in No. 36.

*Memorial.*

To the Right Hon. Her Majesty's Secretary of State for the Foreign Department.

The Memorial of the undersigned, owners and occupiers of land, ship owners, and others interested in the Counties of Inverness and Ross,

Humbly showeth,

THAT their prosperity, and that of the agricultural community at large, is intimately concerned in obtaining supplies of guano at a price within their compass, and in quantities adequate to the demand; that they regard with lively interest the subject which has recently come before Her Majesty's Government and the public, in respect to the supplies of guano existing in the Lobos Islands; and that they humbly beg of Her Majesty's Government to take such steps as may secure a free and uninterrupted trade in that most important branch of commerce.

They, therefore, through your Lordship, do respectfully memorialize Her Majesty's Government to adopt such measures as may be necessary for protecting British ships in trading with the Lobos Islands.

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No. 37.

*Mr. Addington to Mr. John Rae.*

Sir, *Foreign Office, May* 13, 1852.

I AM directed by the Earl of Malmesbury to acknowledge the receipt of the letter which you addressed to Secretary Sir John Pakington on the 4th instant; and I am to acquaint you in reply, that it appears that the Lobos Islands have been always considered by the Peruvian Government as belonging to Peru, and were surveyed and charted by that Government in 1847, and the quantity and depth of guano mapped for the Government.

I am to add that, whether this gives the Government of Peru a right to the Lobos Islands or not, it is certain that, in consequence of the many articles appearing in the public papers, the Peruvian Government have notified their possession of those islands, and that they will resist any attempt upon them.

I am further to state that Her Majesty's Government are not at present prepared to protect British ships which should appropriate the guano on the Lobos Islands.

I am, &c.
(Signed) H. U. ADDINGTON.

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No. 38.

*Mr. Addington to Mr. Cumming Bruce, M. P.*

Sir, *Foreign Office, May* 17, 1852.

I HAVE laid before the Earl of Malmesbury the letter from Mr. Alexander Dallas, which you communicated to me on the 12th instant, inclosing a copy of a memorial proposed to be addressed to Lord Malmesbury by certain landowners, farmers, shipowners, and others in the Counties of Inverness and Ross; and I am directed by his Lordship to acquaint you in reply, for the information of the parties interested, that it appears that the Lobos Islands have been always considered by the Peruvian Government as belonging to Peru, and were surveyed and charted by that Government in 1847, and the quantity and depth of guano mapped for the Government.

I am to add that, whether this gives the Government of Peru a right to the Lobos Islands or not, it is certain that in consequence of the many articles appearing in the public papers, the Peruvian Government have notified their possession of those islands, and that they will resist any attempt upon them.

I am further to state that Her Majesty's Government are not at present prepared to protect British ships which should appropriate the guano on the Lobos Islands.

Lord Malmesbury directs me to transmit to you the accompanying translation of a note* which his Lordship has received from M. de Rivero, the Peruvian Chargé d'Affaires at this Court, stating the grounds on which the Peruvian Government claims the Lobos Islands.

I am to observe that all the *primâ facie* evidence goes to prove that the Lobos Islands, each and all bearing Spanish names, belonged to Spain, and accrued, like her other possessions lying within certain degrees of longitude and latitude, to the Peruvian Republic and however advantageous it might be to Great Britain to appropriate these islands, or declare them common property, it is impossible for Her Majesty's Government to violate international law for national interest.

I am, &c.
(Signed) H. U. ADDINGTON.

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No. 39.

*Memorial from Owners and Occupiers of Land in Northampton.—*
*(Communicated by Colonel Maunsell, May* 18, 1852.)

To the Right Hon. the Earl of Malmesbury, Her Majesty's Principal Secretary of State for Foreign Affairs.

The Memorial of the Undersigned, owners and occupiers of land in the County of Northampton,

Showeth,

THAT your memorialists have been informed, on good authority, that there are two islands, called Lobos Afuera and Lobos de Tierra, off the coast of Peru, both uninhabited and hitherto unclaimed either by the Peruvian or any other nation.

* No. 32.

That these two islands are covered with very extensive deposits of guano, and are accessible by shipping at all periods of the year.

That your memorialists have reason to believe that the said guano might be sold in England at five pounds per ton; whereas, in consequence of the oppressive monopoly at present enjoyed by the Peruvian Government, they now pay for the same article from nine pounds to ten pounds per ton.

That to obtain the said manure at so greatly-reduced a price, would be an important benefit to the farmer.

Your memorialists therefore respectfully pray your Lordship, as an act of justice, to take such steps for securing these islands as shall throw them open to trading-vessels; and that your Lordship will no longer allow the agriculturists of this county, who are struggling against difficulties imposed upon them by free trade in foreign corn, to be impeded in that struggle by the enormous duties levied by the Government of Peru on the importation of the foreign manure, so extensively used in England by the name of guano.

And your memorialists will ever pray, &c.

(48 Signatures.)

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No. 40.

*Mr. Addington to Colonel Maunsell, M. P.*

Sir, *Foreign Office, May* 18, 1852.

I AM directed by the Earl of Malmesbury to acknowledge the receipt of the memorial which you have presented to his Lordship, signed by a number of landowners of the County of Northampton, praying that Her Majesty's Government will take steps to insure the importation into this country, at a low price, of the guano to be found on the Lobos Islands, in the Pacific Ocean.

I am, &c.

(Signed) H. U. ADDINGTON.

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No. 41.

*M. de Rivero to the Earl of Malmesbury.—(Received May* 29.)

Excelentisimo Señor, *Londres,* 28 *Mayo de* 1852.

CON fecha 4 del corriente y á consecuencia de mi entrevista con vuestra Excelencia el dia anterior, tuve el honor de dirijir á vuestra Excelencia una comunicacion relativa á las Islas de Lobos de Tierra y Lobos de Fuera, presentandole algunos informes y esplicaciones acompañadas de ciertos documentos que, en mi concepto, arrojaban bastante luz sobre el derecho perfecto de soberania que el Peru tiene á las mencionadas islas.

Aunque todavia no he tenido el honor de recibir contestacion á mi oficio del 4, creo conveniente molestar de nuevo la atencion de vuestra Excelencia para agregar otros datos que han llegado á mi noticia. He sido informado que hace algunos años, los Señores Prowse y Ca. y Poole y Ca. de Liverpool escribieron al entonces Excelentisimo Secretario de Estado de Su Magestad Británica para los Negocios Estranjeros, preguntando si podrian ir á cargar huano á las Islas de Lobos, y que Lord Palmerston les contesto negativamente, porque segun su creencia esas islas pertenecian al Peru. Ignoro si este caso es el mismo que el que vuestra Excelencia me indicó en la entrevista de ayer 27, en la que me dijo que Lord Palmerston habia contestado en años anteriores, que estaba persuadido que las Islas de Lobos pertenecian al Peru.

Sin embargo de que vuestra Excelencia tuvo á bien indicarme en esa misma entrevista que segun las apariencias, las Islas de Lobos eran

nuestra propiedad, no me parece inoportuno poner en noticia de vuestra Excelencia otra circunstancia que ha llegado á noticia de esta Legacion. Se me asegura que hace algunos años, el Gobierno del Peru notificó á los representantes estranjeros en Lima, para que las naves de sus respectivos paises no pudiesen ir á pescar (to seal) en las Islas de Lobos. Parece que esta notificacion fue debidamente acceptada por el Señor Belford Hinton Wilson, Encargado de Negocios y Cónsul-General de la Gran Bretaña en Lima, quien la trascribió á los Consules de su nacion en el Peru. No pudiendo yo á tamaña distancia de mi patria y en el presente caso imprevisto, tener á la mano esos documentos de mi Gobierno, debo suponer que existan en el Foreign Office comunicaciones de Mr. Wilson sobre el particular. Se me asegura tambien que este funcionario Británico se halla hoy en Inglaterra y podrá estar en situacion de suministrar á vuestra Excelencia informes aclaratorios en la materia.

Tengo, &c.

(Firmato) FRANCO. DE RIVERO.

(Translation.)

My Lord, *London, May* 28, 1852.

ON the 4th instant, in consequence of my interview with your Excellency of the preceding day, I had the honour to address to your Excellency a communication relative to the Islands of Lobos de Tierra and Lobos de Fuera, presenting to you some notices and explanations accompanied by certain documents which, in my opinion, threw a sufficient light upon the perfect right of sovereignty which Peru possesses in the said islands.

And although I have not had the honour to receive any reply to my letter of the 4th, I must once more call the attention of your Excellency, in order to add some facts which have come to my knowledge. I have been informed that some years ago Messrs. Prowse and Co. and Messrs. Poole and Co. of Liverpool, wrote to Her Britannic Majesty's then Foreign Secretary of State, asking if they might go and load guano at the Lobos Islands, and that Lord Palmerston replied to them in the negative, because, as he believed, those islands belonged to Peru. I do not know whether this case is the same as that which your Excellency mentioned to me in the interview of yesterday, the 27th, in which you told me that Lord Palmerston, at a former period, had replied that he was persuaded the Lobos Islands belonged to Peru.

Notwithstanding what your Excellency said to me in that interview, that according to appearances the Lobos Islands were our property, it appears to me not out of place to bring to the notice of your Excellency another circumstance which has come to the knowledge of this Legation. I am assured that some years ago the Government of Peru announced to the foreign Representatives in Lima, that the ships of their respective countries could not go to seal in the Lobos Islands. It appears that this announcement was duly accepted by Mr. Belford Hinton Wilson, Chargé d'Affaires and Consul-General of Great Britain in Lima, who sent copies of the same to the Consuls of his nation in Peru. Not being able at such a distance from my country and in the present unforeseen case, to have in my possession these documents of my Government, I must suppose that there are in the Foreign Office communications from Mr. Wilson upon this matter. I am also assured that this British officer is now in England, and may be in a position to give your Excellency some explanatory information in regard to this affair.

I have, &c.

(Signed) FRANCO. DE RIVERO.

No. 42.

*Mr. Belford Wilson to the Earl of Malmesbury.*—(*Received June* 11.)

31, *Upper Berkeley Street, Portman Square,*
*June* 7, 1852.

My Lord,

IN the year 1833, the Peruvian Government issued a decree prohibiting all foreign vessels from touching at the Lobos and other islands near the coast of Peru.

As in duty bound, I at once communicated a copy* and translation of this decree to Her Majesty's Government, and called its attention to the grounds by which the Peruvian Government had been actuated in its issue; and I moreover submitted to Her Majesty's Government the question of the right of Peru to these islands, amongst which those of Lobos were especially mentioned; and I finally stated they were valuable to Peru on account of the guano-deposits on them, an article which for six centuries had been extensively used in Peruvian agriculture, but which only since 1841 has become an export to England.

Lord Palmerston stated to me in reply, that there did not appear to be any grounds for disputing the right of Peru to the possession of the islands in question.

Her Majesty's Government have recently been urged to protect British subjects in carrying off guano from the Lobos, upon the plea that they do not rightfully belong to Peru.

As I do not not myself entertain a doubt, nor ever have done so, that these islands do belong to Peru, and that during the Spanish dominion they were always held to be under the dominion of the Spanish Crown, I am convinced that the pretension of the British speculators forcibly to carry off guano from them, notwithstanding the fact of their actual occupation by Peru, and in defiance of the rights and laws of that Republic, is groundless and untenable; and as I am equally convinced that it would neither redound to the honour or well-understood interests of Great Britain, as a State, to put forth or to uphold pretensions, on the part of British subjects, that are not founded in justice or supported by international rights, it is with pleasure I have seen that your Lordship has formally declared that Great Britain, at least, has no claims to the possession of the Lobos Islands, and will not consequently protect British subjects in forcibly extracting guano from them, upon the plea that they belong to Great Britain, or else that Peru has no right to their possession.

Herewith I beg to inclose, 1st, an extract, with a translation, from Alcedo's "Geographical and Historical Dictionary of the Kingdom of Peru," &c., published at Madrid in 1787, in which the Islands of Lobos are specially described as comprised within the Vice-Royalty of Peru; and, 2ndly, an extract from an English translation of voyages to South America, by the celebrated Spanish navigators and men of science, Don Jorge Juan and Don Antonio d'Ulloa, published in London in 1772, from the Spanish original published at Madrid in 1748. In this extract, sailing directions are given for making the Port of Paita, and the Islands of Lobos are by name specially mentioned as one of the points to be made, or at least to be sighted by vessels bound to Paita; while the Lobos Islands are duly marked in the map which is bound up in the English translation of this work.

These writings, if they prove nothing else, prove at least that the occupation by Peru, of the Lobos, is not a recent pretension put forward subsequent to the discovery that guano is a valuable export to Europe, but, on the contrary, is founded on the notorious and undeniable fact, that these islands have ever been held by the Spanish Kings and Spanish authorities to be within the territorial jurisdiction of the Vice-Royalty of Peru; and it certainly is rather too late in the day for any country to dispute this fact, after it has been allowed to remain undisputed for upwards of a century.

I have, &c.

(Signed) BELFORD HINTON WILSON.

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* See Inclosure in No. 1.

Inclosure 1 in No. 42.

*Extract from Alcedo's Dictionary.*

"Diccionario Geográfico-Historico de las Indias Occidentales ó América, es á saber: De los Reynos del Perú, Nueva España, &c. &c. &c. Escrito por el Coronel Don Antonio de Alcedo, Capitan de Reales Guardias Españolas. Tomo II. Con Licencia. Madrid: en la Imprenta de Manuel Gonzales. MDCCLXXXVII.

Pagina 599:

LOBOS, de la misma costa del Perú, en la Provincia y Corregimiento de Saña, llamada de Barlovento, para distinguirla de otra isla de esta provincia y reyno, llamada de Sotavento, que está al lado de la Punta de la Aguja.

Tomo IV, pagina 171 á 173:

Catálogo de las naciones bárbaras y principales lugares del Perú.

*Islas.*

| | |
|---|---|
| Asia. | Iquique. |
| Cocos. | Lobos. |
| Dogs Eisland. | Mancera. |
| Guano. | Nonura. |
| Guara. | S. Lorenzo. |
| Huañape. | S. Martin. |

(Translation.)

"Dictionary, Geographical-Historical, of the Western Indies or America, namely, of the Kingdoms of Peru, New Spain, &c. &c. &c. Written by Colonel Antonio Alcedo, Captain of the Royal Spanish Guards. Volume II. By permission. Madrid: in the Printing Office of Manuel Gonzales. 1787.

Page 599:

Seals Islands (Lobos), of the same coast of Peru, in the Province and District of Saña, called Windward, in order to distinguish it from another island of this province and kingdom, called Leeward, which is at the side of Needle Point.

Volume IV, page 171 to 173:

List of the barbarous nations and principal places of Peru.

*Islands.*

| | |
|---|---|
| Asia. | Iquique. |
| Cocos. | Lobos. |
| Dogs' Island. | Mancera. |
| Guano. | Nonura. |
| Guara. | St. Lorenzo. |
| Huañape. | St. Martin. |

Should it be necessary, Mr. Belford Wilson can procure in London the loan of a copy of Alcedo's Dictionary.

Inclosure 2 in No. 42.

*Extract from a Work by Ulloa* *.

THE following extract is taken from a work published in London in 1772, 8vo, 2 vols., entitled :—

"A Voyage to South America . . . . . undertaken by command of the King of Spain, by Don George Juan and Don Antonio de Ulloa, both captains of the Spanish Navy, translated from the original Spanish, to which are added by Mr. John Adams . . . . . occasional notes and observations . . . . . and a map of South America," being a translation from the work of Don Antonio de Ulloa, entitled "Relacion histórica del viaje á la America Meridional, &c., por Don Antonio de Ulloa," published in Madrid in 1748, 5 vols.

Vol. ii, p. 192, book viii. chap. 1.

"The course generally steered from Callao to Paita is first west-north-west, till the ships are past the Feralones of the Islands of Guara. From thence north-west and north-west one quarter northerly to a latitude a little beyond the outermost Island of Lobos, or Wolves; afterwards they steer north and north-east till they make the continent within them, and which is continued in sight till they arrive at the Port of Paita, being very careful to keep a proper distance from Agujia, which is very low and projecting a great distance into the sea.

"Accordingly, cautious navigators, after passing the Islands of Lobos, steer a north course till they get in sight of that of Nonura.

"The land of the whole coast is low, but there are two signs which evidently indicate its being near. First, the sea-wolves, which are seen near these islands, and at three or four leagues distant from them. The second is the great flocks of birds all along this coast, flying two or three leagues from the shore in quest of food. And though fogs are very frequent here and so thick as to hide the land, yet its distance may be nearly known from these signs in the day-time, but at night more circumspection is necessary on account of the extreme lowness of the shore. And though the Islands of Lobos are something higher than the coast, too much caution cannot be used in approaching them.

"It is common in this voyage, if the ship is intended to touch at Paita, and has not had sight of the Islands of Lobos in the day-time, when in their latitude, to lie-to all night. But if they do not propose to stop at Paita, proper attention must be given to the course and the voyage continued.

"If the ship be bound to Paita, there is a necessity for making these islands or the continent near them to the north, in order to avoid being carried beyond the port by the currents, as in such a case a great deal of time would be lost in getting back (para ganar su Barlovento), both the wind and currents being contrary."

In the map in the first volume of the translated work, opposite the title, Lobos Islands are marked in their place.

The map in the Spanish work is in vol. iv, opposite p. 484, and contains the Lobos Islands.

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Inclosure 3 in No. 42.

*Extract from the "Glasgow Herald" of June 7, 1852.*

IN another page we have given an account of a meeting of Dumfriesshire agriculturists, presided over by the Convener of the county, and at which resolutions were adopted, calling upon Government to take measures to open up to British commerce the fertilizing treasures of the Lobos Islands on

* Ulloa's Work, with its translation, may be had at the British Museum.

the coast of Peru. This subject is of intense interest to the British farmer, and the agricultural meeting in question is only the precursor of many others which are announced to be held in other counties.

The speakers at the Dumfriesshire meeting estimate the advantages to be derived from guano as of the last importance; and we observe that Mr. Laurie, Terreglestown, a practical farmer of high character in the district to which he belongs, calculates that by an extension of the guano import, for which this country could easily pay, food, viz., grain, beef, and mutton, might be readily raised to supply an increased population of 2,500,000 souls. This is a startling statement; and these are advantages altogether apart from the benefits which would accrue to the shipping interest by the carrying of such an immense quantity of agricultural raw material, so to speak, to this country.

The principal difficulty seems to arise from the question whether the Lobos Islands belong to Peru or not; for it is evident if that country has not a valid claim to them, then they belong to the world in common. We suspect, however, that the Peruvian Government will really be able to prove that these islands form part and parcel of the Republic. In this view we have been partly confirmed by the perusal of a fine old Spanish map and chart which has been shown to us by our townsman, Dr. Mathie Hamilton, who, we may add, resided in Peru a great many years, has five times doubled Cape Horn, and has crossed the Isthmus of Panama. The map has been in Dr. Hamilton's possession since 1833, and is of the style in which similar documents were executed fully 200 years ago; it is exceedingly distinct, and beautifully coloured, and the descriptive part is inscribed partly in Latin and partly in Spanish. It is entitled "*Pervviae Avriferae Regiones Typvs. Didaco Mendezio, Auctore.*"

Now, in about 6° 30′ of south latitude, there are distinctly laid down a group of islands, inscribed "Isolas de los Lobos" (the islands of the sea-wolves or seals), which we take to be the islands in dispute, and which have been mentioned within the last fortnight by Captains Lawson, Peacock, and others.

Again, in about 13° south latitude, is laid down an island, inscribed "Isola de Lobos," which evidently refers to the guano group now known as the Chinchas. But more than this, it is stated in the bottom of the map, that "*Hae Insulae primum detectæ fueræ* A°. 1574." *i. e.*, "these islands were first discovered in the year 1574." Thus it would appear that these islands were discovered 280 years ago, and ranked as belonging to the Peruvian gold regions in a map apparently 200 years old. The longitude in this map is calculated from the city of Toledo in Spain.

But even though they do belong to Peru, it is never to be conceived that the Government of that country is to be allowed to keep under lock and key deposits of such immense importance to the universal human family. If the Peruvians themselves were prepared to use the guano within a reasonable period, or if they had done anything towards the collecting of it, their claim to shut out the rest of the world might be listened to. But at best they only claim or hold these islands by the accident of position.

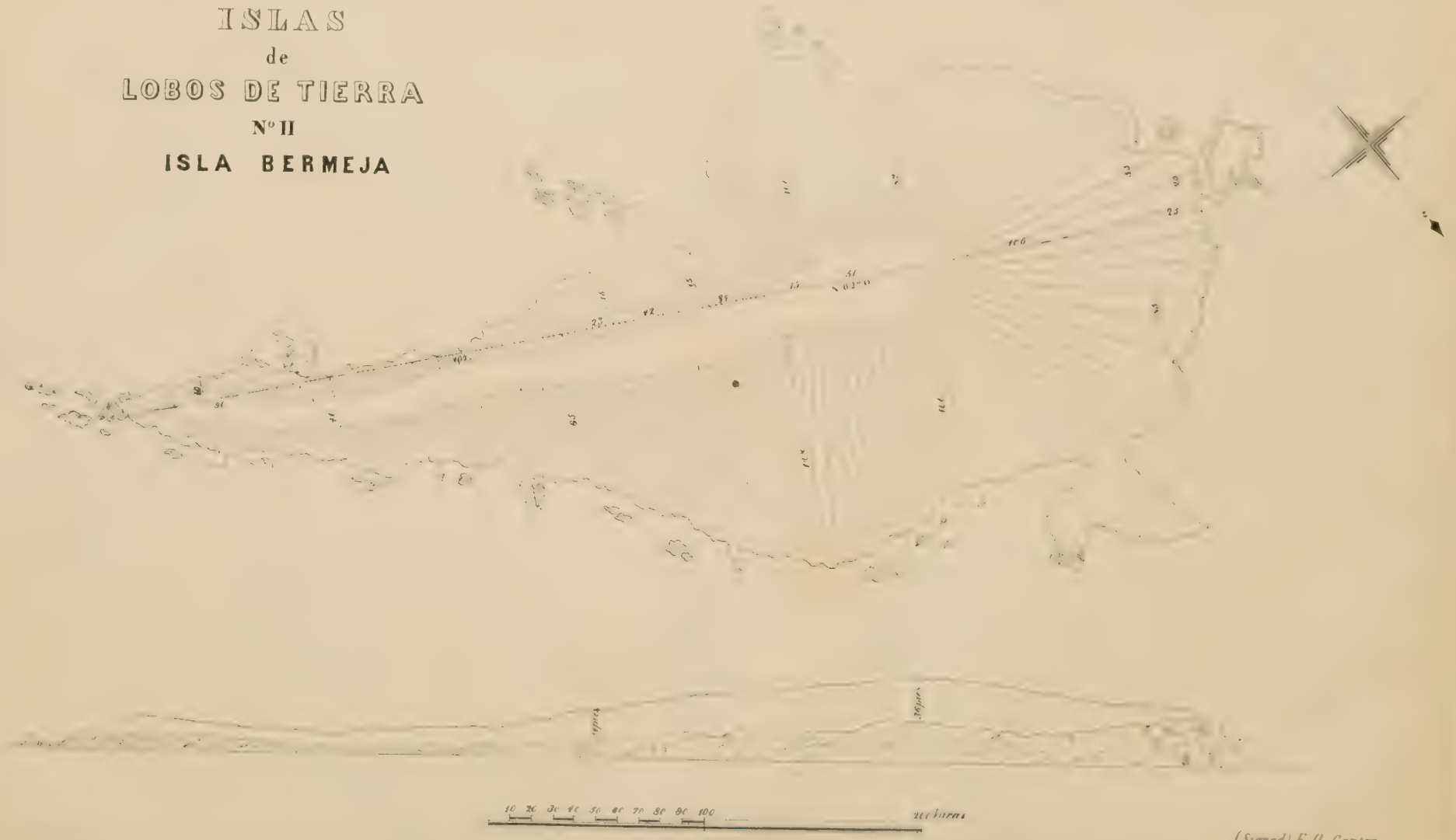
We wish the agriculturists all success in their efforts to obtain access to these stores of guano. They only ask that in the event of the islands belonging to Peru, the monopoly be beaten down, and that the manure may be carried to Great Britain on payment of a reasonable "lordship" to the Peruvian Government.

While on this subject, the thought must strike every one that the guano, deposits, large though they may be, will one day or other be exhausted. Yet though we know this, and though we are willing to bring manure from the other side of the globe, at the cost of an immense amount of treasure, we yearly allow millions of tons of a far richer fertiliser to poison the waters of the Thames, the Mersey, the Clyde, and indeed every river in Britain.

# ISLAS
# de
# LOBOS DE FUERA.

(Signed) E. O. Carter

# ISLAS
de
# LOBOS DE TIERRA
Nº II
# ISLA BERMEJA




(Signed) E. O. Carter

# LOBOS DE TIERRA.

## Nº III.

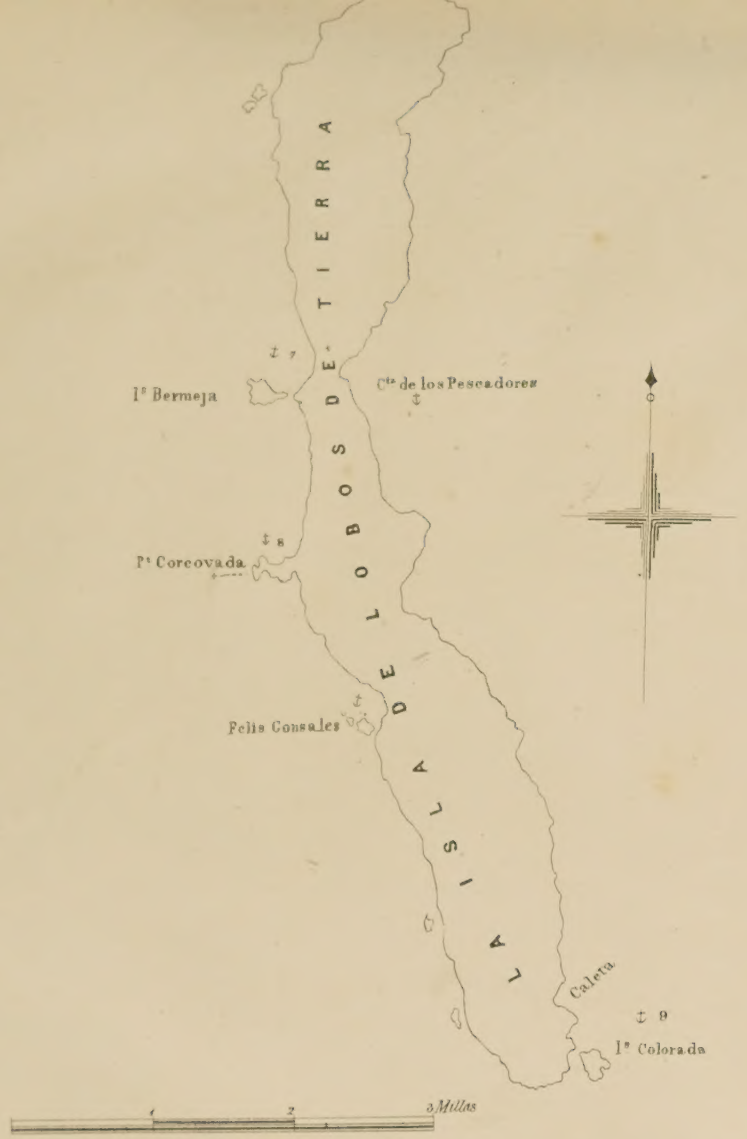
## PUNTA CORCOVADA.

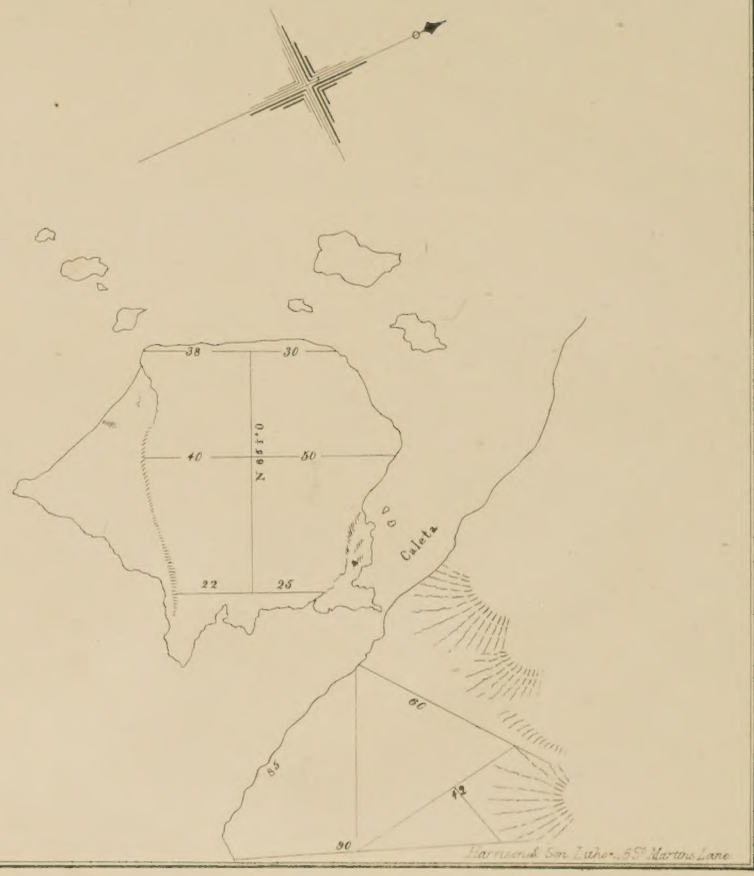
Engraved E C Carter

# LOBOS DE TIERRA

## Nº IV

## FELIS CONSALES




(Signed) E O Cuvier

Harrison & Son, Lithrs., 59 St Martin's Lane

# CORRESPONDENCE

RESPECTING

# THE GUANO ISLANDS

OF

# LOBOS DE TIERRA & LOBOS DE FUERA.

## 1833—1852.

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*Presented to the House of Commons, by Command of Her Majesty, in pursuance of their Address of May* 14, 1852.

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